

EXHIBIT 30

In The Matter Of:
RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

SANDRA A. FOEHL
June 30, 2017

Terry Burke Reporting
Registered Professional Reporters
terryburkermr@gmail.com
(215) 205-9079

RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

SANDRA A. FOEHL
June 30, 2017

Page 1	Page 3
<p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA</p> <p>3 - - -</p> <p>4 RUTH V. BRIGGS, :</p> <p>5 Plaintiff, : Civil Action</p> <p>6 v. : No. 16-00248</p> <p>7 TEMPLE UNIVERSITY, :</p> <p>8 Defendant. :</p> <p>9 - - -</p> <p>10 Philadelphia, Pennsylvania</p> <p>11 Friday, June 30, 2017</p> <p>12 - - -</p> <p>13 Deposition of SANDRA A. FOEHL, taken</p> <p>14 pursuant to notice, held at Console Mattiacci</p> <p>15 Law, LLC, 1525 Locust Street, Ninth Floor,</p> <p>16 Philadelphia, Pennsylvania, beginning at</p> <p>17 1:40 p.m., on Friday, June 30, 2017, before</p> <p>18 Terry Barbano Burke, RMR-CRR.</p> <p>19</p> <p>20</p> <p>21</p> <p>22 TERRY BURKE REPORTING</p> <p>23 (215) 205-9079</p> <p>24 terryburkermr@gmail.com</p>	<p>1 A. Yes.</p> <p>2 Q. Have you ever had your deposition taken</p> <p>3 before?</p> <p>4 A. Yes.</p> <p>5 Q. Approximately how many times?</p> <p>6 A. Probably four or five.</p> <p>7 Q. Any of those in your capacity as an</p> <p>8 employee of Temple?</p> <p>9 A. All of them.</p> <p>10 Q. Were all of those employment-related</p> <p>11 matters?</p> <p>12 A. Yes.</p> <p>13 Q. When was the last time you had your</p> <p>14 deposition taken?</p> <p>15 A. I don't remember. Some years ago.</p> <p>16 Q. Was it within the last five years?</p> <p>17 A. Probably longer.</p> <p>18 Q. Let me go over some of the general</p> <p>19 ground rules here you probably remember. I am</p> <p>20 going to be asking you some questions, and if I</p> <p>21 ask you a question you don't understand, just</p> <p>22 let me know you don't understand the question</p> <p>23 and I will try and ask you a better one.</p> <p>24 Okay?</p>
Page 2	Page 4
<p>1 APPEARANCES:</p> <p>2 RAHUL MUNSHI, ESQUIRE</p> <p>3 Console Mattiacci Law, LLC</p> <p>4 1525 Locust Street, Ninth Floor</p> <p>5 Philadelphia Pennsylvania 19102</p> <p>6 Counsel for the Plaintiff</p> <p>7 RACHEL FENDELL SATINSKY, ESQUIRE</p> <p>8 Littler Mendelson, P.C.</p> <p>9 Three Parkway</p> <p>10 1601 Cherry Street, Suite 1400</p> <p>11 Philadelphia, Pennsylvania 19102</p> <p>12 Counsel for the Defendant</p> <p>13 - - -</p> <p>14 SANDRA A. FOEHL,</p> <p>15 3443 West Penn Street, Philadelphia,</p> <p>16 Pennsylvania, having been duly sworn,</p> <p>17 was examined and testified as follows:</p> <p>18 BY MR. MUNSHI:</p> <p>19 Q. Good afternoon, Miss Foehl.</p> <p>20 A. Hello.</p> <p>21 Q. We just met, but my name is Rahul</p> <p>22 Munshi. I'm an attorney here at Console</p> <p>23 Mattiacci Law, and I have the privilege of</p> <p>24 representing Ruth Briggs in this action against</p> <p>Temple University. You are here today for your</p> <p>deposition.</p> <p>Do you understand that?</p>	<p>1 A. Okay.</p> <p>2 Q. You see, obviously, Terry is sitting</p> <p>3 here today. She is taking down everything we</p> <p>4 say for a transcript. We have to make sure we</p> <p>5 verbalize all of our answers. Otherwise, the</p> <p>6 head shakes don't come out.</p> <p>7 A. Right.</p> <p>8 Q. Everyone does it. We will let you know.</p> <p>9 Similar instruction, we have to do</p> <p>10 the best we can to not talk over each other.</p> <p>11 Otherwise, the transcript is not going to come</p> <p>12 out.</p> <p>13 Okay?</p> <p>14 A. Understood.</p> <p>15 Q. If you do want to take a break at any</p> <p>16 point, just let us know, we can go ahead and do</p> <p>17 that.</p> <p>18 Okay?</p> <p>19 A. Okay.</p> <p>20 Q. The last instruction I will give you is</p> <p>21 the most important one, and that is even though</p> <p>22 there is no judge or jury here, you just took an</p> <p>23 oath to tell the truth. With that oath comes</p> <p>24 the same responsibilities as if there was a</p>

RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

SANDRA A. FOEHL
June 30, 2017

<p style="text-align: right;">Page 5</p> <p>1 judge sitting here. 2 Do you understand that? 3 A. I do. 4 Q. Miss Foehl, you are currently employed 5 by Temple; is that correct? 6 A. Yes. 7 Q. What is your current title? 8 A. Director Office of Equal Opportunity 9 Compliance. 10 Q. Is that commonly referred to as the EEO 11 office? 12 A. EOC. 13 Q. The EEOC office? 14 A. EOC. 15 Q. EOC office, okay. 16 How long have you held that 17 position? 18 A. Since 2005, I think. 19 Q. Is that a position within human 20 resources? 21 A. No. 22 Q. Do you consider yourself a human 23 resources professional? 24 A. No, I don't.</p>	<p style="text-align: right;">Page 7</p> <p>1 affirmative action program plan. And we do 2 complaint investigations for the university. 3 That is unlawful discrimination complaint 4 investigations. 5 Q. Employment discrimination or all types 6 of discrimination? 7 A. All types. That is, we respond to 8 student complaints, staff, faculty, and visitors 9 to the university. 10 Q. The civil rights laws that you 11 mentioned, do they include Title VII of the 12 Civil Rights Act? 13 A. Yes. 14 Q. And the Age Discrimination in Employment 15 Act? 16 A. Yes. 17 Q. You said investigating discrimination 18 claims. Do you also investigate retaliation 19 claims? 20 A. Yes. 21 Q. Do you also investigate claims of 22 hostile work environment? 23 A. If they allege a violation of the civil 24 rights laws.</p>
<p style="text-align: right;">Page 6</p> <p>1 Q. Have you ever worked in human resources 2 before? 3 A. No. 4 Q. When did you start working at Temple? 5 A. 1973. 6 Q. What position did you hold back then? 7 A. I think it was titled affirmative action 8 specialist in the office of affirmative action 9 plans and programs. 10 Q. Are you an attorney? 11 A. No. 12 Q. Have you taken any courses on the law? 13 A. Does sitting in a course count? I don't 14 think so. No. 15 Q. Do you have any legal education 16 background, I should ask? 17 A. No. 18 Q. What are your general job duties and 19 responsibilities as the director of EOC? 20 A. As the name of the office suggests, EOC 21 is responsible for university compliance with 22 federal, state, and municipal civil rights laws. 23 So we do report filing for the university. 24 We're responsible for the university's</p>	<p style="text-align: right;">Page 8</p> <p>1 Q. Did you ever receive a complaint of 2 discrimination from Ruth Briggs? 3 A. Yes. 4 Q. How many times did that happen? 5 A. Once. 6 Q. And when did that happen? 7 A. In the spring of 2014, I think. 8 Q. If it helps, Miss Briggs ended her 9 employment at Temple in April of 2014? 10 A. That was the time she filed a complaint. 11 Q. What do you mean by "filed a complaint"? 12 A. Said that she wanted an investigation of 13 her concerns done. We refer to it as filing a 14 formal complaint. 15 Q. And is there a difference between the 16 filing of a formal complaint and the making of 17 an informal complaint? 18 A. Yes. Our -- yes. 19 Q. Did Miss Briggs ever lodge an informal 20 complaint with you? 21 A. She came and discussed informally a 22 number of concerns. 23 Q. And how do you make the distinction 24 between discussing informally and more than</p>

RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

SANDRA A. FOEHL
June 30, 2017

<p style="text-align: right;">Page 9</p> <p>1 that?</p> <p>2 A. A grievance procedure that guides -- the</p> <p>3 equal opportunity compliance office provides</p> <p>4 informal grievance resolution and formal</p> <p>5 investigations. It's not uncommon for</p> <p>6 individuals to come and talk briefly or at</p> <p>7 length about an issue that concerns them. And</p> <p>8 in the course of the conversation we may</p> <p>9 discover it is not at all a matter for equal</p> <p>10 opportunity compliance. More appropriately an</p> <p>11 issue for human resources, and we'll give that</p> <p>12 direction to the individual.</p> <p>13 In some cases, individuals simply</p> <p>14 want to talk through an issue, and that's all</p> <p>15 they are asking for, to talk through an issue.</p> <p>16 Sometimes individuals will say, I</p> <p>17 have this concern and I want you to conduct an</p> <p>18 investigation. That's a formal complaint.</p> <p>19 Q. And would you ever conduct an</p> <p>20 investigation without the individual</p> <p>21 specifically asking you?</p> <p>22 A. Sometimes, but rarely.</p> <p>23 Q. For example, if somebody comes to you</p> <p>24 and says that they are being sexually harassed</p>	<p style="text-align: right;">Page 11</p> <p>1 Q. How about if somebody expresses to you</p> <p>2 not physical harm, but emotional harm, could</p> <p>3 that be enough harm for you to investigate</p> <p>4 without someone asking you?</p> <p>5 MS. SATINSKY: Objection to form.</p> <p>6 THE WITNESS: Not necessarily,</p> <p>7 because I would have other resources to call on</p> <p>8 or to direct an individual to. Our counseling</p> <p>9 center, for example.</p> <p>10 BY MR. MUNSHI:</p> <p>11 Q. What is the counseling center, is that</p> <p>12 an HR function?</p> <p>13 A. No.</p> <p>14 Q. Like therapeutic counseling?</p> <p>15 A. Therapeutic counseling.</p> <p>16 Q. Did Miss Briggs ever complain to you</p> <p>17 informally or formally about hostile work</p> <p>18 environment at Temple?</p> <p>19 MS. SATINSKY: Objection to form.</p> <p>20 THE WITNESS: I don't recall her</p> <p>21 saying specifically I'm working in a hostile</p> <p>22 environment. When she came initially, she</p> <p>23 raised concerns about her salary, that she felt</p> <p>24 she wasn't being compensated as she should be.</p>
<p style="text-align: right;">Page 10</p> <p>1 in school --</p> <p>2 MS. SATINSKY: Objection to form.</p> <p>3 MR. MUNSHI: I didn't ask the</p> <p>4 question yet.</p> <p>5 BY MR. MUNSHI:</p> <p>6 Q. -- you don't need that person to</p> <p>7 specifically say, Miss Foehl, can you</p> <p>8 investigate this, it is within your discretion</p> <p>9 to look into it if you want?</p> <p>10 MS. SATINSKY: Objection to form.</p> <p>11 You can answer.</p> <p>12 THE WITNESS: I'm sorry?</p> <p>13 MS. SATINSKY: You can answer.</p> <p>14 THE WITNESS: Okay.</p> <p>15 The office may act. If we hear an</p> <p>16 issue that raises a concern for us of harm to an</p> <p>17 individual, that we would probably move on,</p> <p>18 whether or not an individual asked for a formal</p> <p>19 complaint.</p> <p>20 BY MR. MUNSHI:</p> <p>21 Q. How do you define "harm" in that</p> <p>22 situation?</p> <p>23 A. Sexual assault might be one issue.</p> <p>24 Someone saying I'm suicidal might be another.</p>	<p style="text-align: right;">Page 12</p> <p>1 BY MR. MUNSHI:</p> <p>2 Q. Did she ever raise any complaints with</p> <p>3 you about comments that she heard in the</p> <p>4 workplace that she found to be related to her</p> <p>5 age or sex?</p> <p>6 A. I remember one, and I think only the</p> <p>7 one, about a supervisor.</p> <p>8 Q. That supervisor was Dr. Wu; is that</p> <p>9 right?</p> <p>10 A. Correct.</p> <p>11 Q. What was the one comment that you recall</p> <p>12 her telling you?</p> <p>13 A. He remarked, as Miss Briggs said, that</p> <p>14 in his native country, China, as I recall, women</p> <p>15 who reach the age of 55 are done in the</p> <p>16 workforce.</p> <p>17 Q. When she was telling you about this</p> <p>18 comment, did you consider that to be a</p> <p>19 complaint?</p> <p>20 A. No.</p> <p>21 Q. Did you consider it to be an informal</p> <p>22 complaint?</p> <p>23 A. No.</p> <p>24 Q. Why not?</p>

RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

SANDRA A. FOEHL
June 30, 2017

<p style="text-align: right;">Page 13</p> <p>1 A. The way I recall Miss Briggs saying it, 2 she said this was conversation. He had remarked 3 about cultural differences within her hearing. 4 She did not, at the time she related 5 this remark, say that or give me an indication 6 that he had specifically directed it to her and 7 to her work situation. 8 Q. Did she tell you if anybody else was 9 present for this comment? 10 A. I don't remember her telling me that 11 anyone else was present. 12 Q. So explain to me what you meant by not 13 directed? 14 A. Remarking about a cultural difference, I 15 think is different, I think, than someone saying 16 directly to me, or to Miss Briggs, "You're over 17 the hill at 55. You should consider getting out 18 of the workplace." I would consider that 19 possibly discrimination. 20 Q. So explain to me the difference between 21 the example that you just gave me and what Ruth 22 said to you that Dr. Wu said? 23 A. I didn't hear in Miss Briggs' telling of 24 Dr. Wu's remark that he was saying to</p>	<p style="text-align: right;">Page 15</p> <p>1 capacity as administrator in, I guess it was 2 equal opportunity compliance, or one of our 3 earlier names at the time. I was investigating 4 a complaint. She was someone I interviewed 5 regarding that complaint. 6 Q. And whose complaint was that? 7 A. Tanya Honeywell. 8 Q. Did you meet with Miss Briggs in person? 9 A. I think so. That was my general 10 practice. 11 Q. Outside of any meetings or 12 communications you had with Miss Briggs 13 regarding Tanya Honeywell, had you had any 14 meetings or conversations with her prior to 15 2012? 16 A. Not that I recall. 17 Q. Regarding Tanya Honeywell, was it your 18 understanding that Ruth Briggs had a reporting 19 relationship with her? 20 A. I don't remember the reporting 21 relationship. 22 Q. Did Miss Briggs say anything to you 23 about an individual named Greg Wacker when you 24 were talking with her regarding Tanya Honeywell?</p>
<p style="text-align: right;">Page 14</p> <p>1 Miss Briggs you're 55, you should get out of the 2 workplace, as is the case in my culture. 3 Q. So he didn't say the word "you"? 4 MS. SATINSKY: Objection to form. 5 Misstates testimony. 6 BY MR. MUNSHI: 7 Q. Is there any other difference? 8 A. Well, as he set the context, he was 9 talking about women in his country, China, and I 10 think, as I recall Miss Briggs saying to me, she 11 set that up as or she introduced his remark as 12 an instance of his remarking about cultural 13 difference. 14 Q. Do you have knowledge that Dr. Wu is a 15 native of China? 16 MS. SATINSKY: Objection to form. 17 THE WITNESS: I recall that he is a 18 foreign national, or was. That was my 19 understanding. And Asian. I think from China. 20 I'm not sure. From an Asian country. 21 BY MR. MUNSHI: 22 Q. Prior to 2012, did you have any 23 interaction with Ruth Briggs? 24 A. I met Ruth somewhere before 2012 in my</p>	<p style="text-align: right;">Page 16</p> <p>1 A. Greg Wacker was part of the 2 conversation. 3 Q. What do you recall her telling you about 4 Greg Wacker? 5 A. My best recollection is that 6 Mr. Wacker's role in the dean's office was 7 supervisory, but he had some supervisory 8 responsibilities for Tanya Honeywell. And that 9 the issue that I was investigating was a 10 disagreement as to whether or not his 11 supervision had been fair toward Miss Honeywell. 12 Q. Do you recall Miss Briggs giving you 13 information or her opinion that his supervision 14 was not fair? 15 A. I recall that Miss Briggs was disposed 16 to support Miss Honeywell in the disagreement. 17 That's about the extent of my recollection. 18 Q. And what do you mean by "disposed"? 19 A. Took Miss Honeywell's side in whatever 20 the dispute was. 21 Q. Miss Briggs took Miss Honeywell's side 22 over Greg Wacker's side; is that right? 23 A. Over the position of the dean's office. 24 Q. And in connection with your</p>

RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

SANDRA A. FOEHL
June 30, 2017

<p style="text-align: right;">Page 17</p> <p>1 investigation regarding Tanya Honeywell, did you 2 also speak with Greg Wacker? 3 A. I think so. 4 Q. Did you ever inform Greg Wacker what 5 Ruth Briggs said to you? 6 A. No. 7 Q. In connection with Miss Honeywell, did 8 you complete any sort of investigation summary 9 or document? 10 A. I don't recall, because my best 11 recollection is Miss Honeywell's complaint was 12 an agency complaint with EEOC. So I may have 13 been investigating for counsel's office at the 14 time. 15 Q. Did you, in connection with your 16 investigation into Miss Honeywell's claim, did 17 you actually reach a conclusion? 18 A. I must have, but I don't remember what 19 it was. 20 Q. Do you recall sharing with Greg Wacker 21 what your conclusion was? 22 A. I would not have shared it with Greg 23 Wacker. 24 Q. Do you recall the nature of Tanya</p>	<p style="text-align: right;">Page 19</p> <p>1 Do you see that? 2 A. Yes. 3 Q. Do you recall meeting with Ruth Briggs 4 on July 30th, 2012? 5 A. I know we had a meeting. I have to -- I 6 don't have any independent recollection that it 7 was other than July 30th, as Ruth says. 8 Q. You see in the first e-mail that she 9 sends to you, she says, "I spoke to Rhonda Brown 10 regarding personal employment issues." And 11 Rhonda Brown is also cc'd on this e-mail. 12 A. Uh-huh. 13 Q. Did you speak with Rhonda Brown about 14 Ruth Briggs at any point? 15 A. Not that I recall. 16 Q. What do you recall discussing with Ruth 17 Briggs at this meeting? 18 A. I remember that she had a concern about 19 her salary. I think this is also in that 20 conversation when she spoke to me about working 21 with Dr. Wu and being concerned that some of 22 what she regarded as her responsibilities had 23 been given to other staff in the office and that 24 concerned her.</p>
<p style="text-align: right;">Page 18</p> <p>1 Honeywell's claim? 2 A. My best recollection was it turned on a 3 matter of disability accommodation, but that's 4 about the extent of my recollection. 5 Q. Was there also an FMLA issue with regard 6 to Tanya Honeywell? 7 A. I don't know, but that probably would 8 not have come to my attention. 9 Q. After the Tanya Honeywell conversation 10 that you had with Ruth Briggs, when do you 11 recall the next time communicating with her? 12 A. When she came to relate her concerns 13 over salary. 14 MR. MUNSHI: Let's have this 15 document marked as P-31. 16 (P-31 was marked for 17 identification.) 18 BY MR. MUNSHI: 19 Q. Miss Foehl, in front of you is a 20 document that is marked as P-31. Go ahead and 21 review that. 22 A. (Pause.) 23 Q. The first e-mail in this chain is dated 24 July 25th, 2012, as in the oldest one.</p>	<p style="text-align: right;">Page 20</p> <p>1 And I think this would have been the 2 conversation where she had repeated Dr. Wu's 3 remark about women in China are done at the age 4 of 55 in the workforce. 5 Q. When she told you the comment that 6 Dr. Wu said about the workforce and women in 7 China, how did you react to it? 8 MS. SATINSKY: Objection to form. 9 Asked and answered. You can answer the 10 question. 11 THE WITNESS: Most of these meetings 12 I listen. 13 BY MR. MUNSHI: 14 Q. Did you have any sort of concern that he 15 said this to her or that she was complaining 16 about it? 17 MS. SATINSKY: Objection to form. 18 Asked and answered. 19 THE WITNESS: My response to an 20 initial telling of the situation is to the 21 speakers' concerns. Ruth was concerned. I 22 listen. 23 BY MR. MUNSHI: 24 Q. Did she discuss with you during this</p>

RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

SANDRA A. FOEHL
June 30, 2017

<p style="text-align: right;">Page 21</p> <p>1 meeting the filing of a complaint?</p> <p>2 A. I don't specifically recall, but it's</p> <p>3 usual for me when an individual comes with</p> <p>4 concerns to talk about the resources, my office,</p> <p>5 other university offices, and to explain what my</p> <p>6 office does by way of investigation. So I</p> <p>7 likely did not.</p> <p>8 Q. Did she express to you during this</p> <p>9 meeting any sort of fear of retaliation for</p> <p>10 speaking with you?</p> <p>11 A. I don't remember that.</p> <p>12 Q. Do you recall her expressing any fear of</p> <p>13 retaliation if she did file a complaint?</p> <p>14 A. The hesitation I remember in moving</p> <p>15 forward was -- concerned her need to take time</p> <p>16 for a personal matter, and she wanted that to</p> <p>17 occur first, her being approved for time, leave</p> <p>18 time, before she did anything further.</p> <p>19 Q. Did you understand if she had any sort</p> <p>20 of concern that she could be retaliated against</p> <p>21 by not being approved of the time?</p> <p>22 A. Would you repeat the question, please.</p> <p>23 Q. Sure. Did you have any understanding if</p> <p>24 she was concerned about retaliation in the</p>	<p style="text-align: right;">Page 23</p> <p>1 A. Uh-huh.</p> <p>2 Q. Did you discuss presenting a complaint?</p> <p>3 A. Not my presenting a complaint.</p> <p>4 Q. Sorry, I didn't understand.</p> <p>5 A. I convey an individual complainant's</p> <p>6 concerns, so I have to have something to</p> <p>7 present.</p> <p>8 Q. So did you understand what she was</p> <p>9 talking about when she says "synopsis of the</p> <p>10 content presented in the complaint"?</p> <p>11 A. No.</p> <p>12 Q. She writes here, "I am not having</p> <p>13 buyer's remorse, but I am nervous about the</p> <p>14 manner with which I will be treated when I</p> <p>15 return after my son's surgery."</p> <p>16 Do you see that?</p> <p>17 A. Uh-huh.</p> <p>18 Q. So did you have a discussion about any</p> <p>19 concerns she had upon her return?</p> <p>20 A. Not that I recall.</p> <p>21 Q. Did you follow up with her and</p> <p>22 say, "What are you talking about here?"</p> <p>23 A. There was further communication, but I</p> <p>24 don't know how quickly it came after this memo.</p>
<p style="text-align: right;">Page 22</p> <p>1 manner of not being approved of the time?</p> <p>2 MS. SATINSKY: Objection to form.</p> <p>3 THE WITNESS: I can't say beyond</p> <p>4 what Ruth said to me, that she wanted to wait</p> <p>5 until her leave was squared away.</p> <p>6 BY MR. MUNSHI:</p> <p>7 Q. In the e-mail that she sends to you that</p> <p>8 is P-31, second sentence, it says, "If it is</p> <p>9 possible to review the letter to Michael Klein</p> <p>10 before sending, please let me know."</p> <p>11 Do you see that?</p> <p>12 A. Yes.</p> <p>13 Q. Michael Klein was the dean at the time;</p> <p>14 right?</p> <p>15 A. He was.</p> <p>16 Q. What letter?</p> <p>17 A. I don't know. I was surprised when I</p> <p>18 read that initially. I didn't know then what</p> <p>19 letter Ruth was referring to.</p> <p>20 Q. And then she writes, "If not, I would</p> <p>21 appreciate a synopsis of the content presented</p> <p>22 in the complaint so that I will be prepared for</p> <p>23 my return to work after my son's surgery."</p> <p>24 Do you see that?</p>	<p style="text-align: right;">Page 24</p> <p>1 Q. Did you tell anybody that you had met</p> <p>2 with Ruth Briggs on this date?</p> <p>3 A. I met on July 30th. At some point, I</p> <p>4 asked Deirdre Culbreath-Walton in human</p> <p>5 resources whether or not she had been talking</p> <p>6 with Ruth about the salary issues, but I don't</p> <p>7 know exactly when that came in relationship to</p> <p>8 the July 30th meeting.</p> <p>9 Q. Did you inform Miss Walton that you had</p> <p>10 met with Ruth Briggs?</p> <p>11 A. I'm not sure whether I would have said I</p> <p>12 met with Ruth. I may have simply said, "Ruth</p> <p>13 has raised a concern about salary with the EOC,</p> <p>14 has she related that concern to human</p> <p>15 resources?"</p> <p>16 Q. Do you recall informing anybody else</p> <p>17 that you met with Ruth Briggs?</p> <p>18 A. I don't think I did.</p> <p>19 Q. At any point prior to the end of</p> <p>20 Miss Briggs' employment with Temple, did you</p> <p>21 have a conversation with Greg Wacker about Ruth</p> <p>22 Briggs?</p> <p>23 A. Please repeat the question.</p> <p>24 Q. Sure. Just looking at the time period</p>

RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

SANDRA A. FOEHL
June 30, 2017

<p style="text-align: right;">Page 25</p> <p>1 before Miss Briggs' employment ended, 2 April 2014, did you have any conversations with 3 Greg Wacker about Ruth Briggs? 4 A. No. 5 Q. Prior to the end of Miss Briggs' 6 employment at Temple, did you have any 7 conversations with Drew DiMeo about Ruth Briggs? 8 A. No. 9 Q. Same question with Dr. Wu, did you have 10 any conversations with him prior to the end of 11 Ruth Briggs' employment regarding Ruth Briggs? 12 A. No. 13 Q. Anybody in human resources? 14 MS. SATINSKY: Other than what she 15 has already testified to? 16 BY MR. MUNSHI: 17 Q. Beyond what you have already said, which 18 we will flesh out. 19 A. I had a conversation with Eric Brunner 20 in learning and development in human resources I 21 think about the same time I talked with Deirdre 22 Walton, but I'm not sure of the date. 23 Q. Just the one conversation with Eric or 24 multiple?</p>	<p style="text-align: right;">Page 27</p> <p>1 or any one of associate counsel if we saw the 2 need. 3 Q. Without getting into the content of your 4 communications with counsel, did you ever speak 5 with Fay Trachtenberg regarding Ruth Briggs? 6 A. I don't remember doing that. I would 7 say I don't think so. 8 Q. How about Cameron Etezady, again, 9 without going into the content, did you ever 10 speak with him regarding Ruth Briggs? 11 MS. SATINSKY: Prior to the end of 12 Miss Briggs' employment at Temple. 13 THE WITNESS: Prior to the end of 14 Miss Briggs' employment. 15 My best recollection is that if I 16 talked to Cameron Etezady, it would have been 17 about -- 18 MS. SATINSKY: I don't want you to 19 testify about what it would have been about. 20 THE WITNESS: Okay. 21 MS. SATINSKY: That is protected by 22 the attorney-client privilege. 23 THE WITNESS: I don't remember 24 talking to Cameron Etezady about Ruth Briggs'</p>
<p style="text-align: right;">Page 26</p> <p>1 A. Just one, as I recall. 2 Q. Anybody else in human resources who you 3 spoke with about Ruth Briggs? 4 A. No. 5 Q. Did you ever speak with Tracy Hamilton 6 about Ruth Briggs? 7 A. Could have. We worked together and the 8 usual procedure for us to confer about who is 9 doing what in case one of us is absent and needs 10 to pick up a matter. 11 Q. Anybody else in the EOC office who you 12 spoke with regarding Miss Briggs? 13 A. We're talking about 2014? 14 Q. Any time before April 2014. 15 A. No, because we no longer, Tracy and I no 16 longer reported to Rhonda Brown, hadn't since 17 2009. So no. 18 Q. Who did you report directly to in 2014? 19 A. University counsel. 20 Q. Anyone within the counsel's office or 21 just a department or the specific general 22 counsel? 23 A. I believe Fay Trachtenberg was assigned 24 as our liaison, but we would go to George Moore</p>	<p style="text-align: right;">Page 28</p> <p>1 complaints. 2 MR. MUNSHI: Let's have this marked 3 as <u>P-32</u>, please. 4 (<u>P-32</u> was marked for 5 identification.) 6 BY MR. MUNSHI: 7 Q. Miss Foehl, in front of you is a 8 three-page document. The top of the first page 9 says "7-30-2012," and then the top of the second 10 page says "two," and then the top of the third 11 page says "8-3-2012." 12 Do you see that? 13 A. Uh-huh. 14 Q. Just verbalize for the transcript, 15 please. 16 A. Yes. I see that. 17 Q. Everyone does it. That is okay. 18 Are these your notes? 19 A. Yes, they are. 20 Q. These are your handwritten notes? 21 A. Yes. 22 Q. Did you take them while you were meeting 23 with Ruth Briggs? 24 MS. SATINSKY: The first two pages</p>

RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

SANDRA A. FOEHL
June 30, 2017

<p style="text-align: right;">Page 29</p> <p>1 are you focused on?</p> <p>2 MR. MUNSHI: Yes. The 7-30-2012.</p> <p>3 THE WITNESS: I usually work up my</p> <p>4 notes immediately following a conversation.</p> <p>5 BY MR. MUNSHI:</p> <p>6 Q. Did you then type up these notes?</p> <p>7 A. I don't type them up.</p> <p>8 Q. Did you share your notes with anybody</p> <p>9 around this time?</p> <p>10 A. No.</p> <p>11 Q. Approximately how long was your meeting</p> <p>12 with Ruth Briggs on 7-30-2012?</p> <p>13 A. I don't really remember.</p> <p>14 Q. On the first page under "problems," it</p> <p>15 says here, "Dr. Wu yells and says demeaning</p> <p>16 things, e.g., 'Are you stupid?'"</p> <p>17 Do you see that?</p> <p>18 A. Yes, I see that.</p> <p>19 Q. That is information that Ruth Briggs</p> <p>20 gave to you?</p> <p>21 A. That's Ruth's report to me about Dr. Wu.</p> <p>22 Q. Did she give you any other examples of</p> <p>23 demeaning things?</p> <p>24 A. No.</p>	<p style="text-align: right;">Page 31</p> <p>1 Q. Who did you discuss this comment with?</p> <p>2 MS. SATINSKY: Can we go off the</p> <p>3 record for a second?</p> <p>4 MR. MUNSHI: Yes.</p> <p>5 (A discussion was held off the</p> <p>6 record.)</p> <p>7 BY MR. MUNSHI:</p> <p>8 Q. Prior to May 6th, 2014, did you ever ask</p> <p>9 anybody or talk to anybody besides Ruth Briggs</p> <p>10 about the comment that she relayed to you that</p> <p>11 Dr. Wu said?</p> <p>12 A. I think the first person I talked with</p> <p>13 after Miss Briggs said investigate was Dr. Wu,</p> <p>14 and I asked him about Ruth's allegations.</p> <p>15 Q. Which allegations?</p> <p>16 A. His remarks that she found -- this</p> <p>17 remark. I don't recall any other -- this</p> <p>18 remark. And her job duties being shifted away.</p> <p>19 And there was one instance, as I recall, that</p> <p>20 she believed she had been unfairly disciplined</p> <p>21 when a newer employee had not been for what Ruth</p> <p>22 thought was the same offense.</p> <p>23 Q. Any other allegations you recall</p> <p>24 discussing with Dr. Wu at that time?</p>
<p style="text-align: right;">Page 30</p> <p>1 Q. In your experience at Temple, is this a</p> <p>2 common thing that an employee would come and</p> <p>3 say, "My boss is saying demeaning things</p> <p>4 like 'Are you stupid'?"</p> <p>5 MS. SATINSKY: Objection to form.</p> <p>6 THE WITNESS: It is commonplace in</p> <p>7 my line of work.</p> <p>8 BY MR. MUNSHI:</p> <p>9 Q. It goes on to say, "In China, women your</p> <p>10 age are done." That is the statement that you</p> <p>11 testified to earlier; correct?</p> <p>12 A. Yes.</p> <p>13 Q. This comment, "In China, women your age</p> <p>14 are done," did you discuss that comment with</p> <p>15 anybody besides Ruth Briggs, putting aside</p> <p>16 counsel?</p> <p>17 A. I did when Miss Briggs said please</p> <p>18 investigate my complaint. So after our meeting</p> <p>19 April 2014, I did.</p> <p>20 Q. So after she was no longer employed</p> <p>21 there?</p> <p>22 A. That's hard to answer yes or no. I</p> <p>23 think she met with me before she received notice</p> <p>24 of her termination.</p>	<p style="text-align: right;">Page 32</p> <p>1 A. This is the initial meeting, so if I</p> <p>2 noted something new, and that may be where the</p> <p>3 issue of discipline was, that would have been in</p> <p>4 the April notes. So I would have drawn on the</p> <p>5 April notes for my conversation with Dr. Wu.</p> <p>6 Q. Do you recall how he responded to you</p> <p>7 when you asked him about the remark that</p> <p>8 Miss Briggs relayed to you?</p> <p>9 A. Not without reference to my notes, I</p> <p>10 don't.</p> <p>11 Q. Do you recall if he denied saying it?</p> <p>12 A. My best recollection is that he said he</p> <p>13 regularly discussed cultural differences and</p> <p>14 language differences with the staff,</p> <p>15 Miss Briggs, other members of the office staff.</p> <p>16 And that that was a general conversation.</p> <p>17 Q. And at this meeting that you are talking</p> <p>18 about with Dr. Wu, did you also explain to him</p> <p>19 that you are conducting an investigation?</p> <p>20 A. That would have been the way I</p> <p>21 introduced myself.</p> <p>22 Q. And did you inform him that you are</p> <p>23 conducting an investigation because Ruth Briggs</p> <p>24 raised complaints?</p>

RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

SANDRA A. FOEHL
June 30, 2017

<p style="text-align: right;">Page 33</p> <p>1 A. Yes, I would have identified the 2 complainant as Ruth Briggs. 3 Q. Did you explain, because it looks like 4 the timeline is very close, did you explain that 5 she had raised the complaints with you even 6 before she was let go from Temple? 7 MS. SATINSKY: Objection to form. 8 THE WITNESS: I don't know whether 9 or not I remarked one way or the other to Dr. Wu 10 about when she brought the complaints. 11 BY MR. MUNSHI: 12 Q. Did you say anything to Dr. Wu at this 13 meeting about any allegations from Ruth Briggs 14 that she felt that she was harassed by him? 15 MS. SATINSKY: What meeting are you 16 referring to? 17 MR. MUNSHI: The same one that we 18 are talking about I guess in early April of 19 2014. 20 THE WITNESS: I don't remember using 21 the word "harassed." I would have just asked 22 him about the specific examples, the concerns 23 that Ruth related to me. For example, being 24 moved to the ninth or tenth floor and away from</p>	<p style="text-align: right;">Page 35</p> <p>1 a point to tell me that she responded right back 2 to Dr. Wu's remark about women in China are done 3 at age 55. 4 Q. And what did she tell you she said in 5 response? 6 A. That we're in the United States and it's 7 different in the United States. 8 Q. Were you aware that Miss Briggs received 9 a disciplinary report in November of 2011 for 10 unprofessional conduct? 11 A. Except for the discipline when she 12 compared herself to a new employee, Ruth never 13 related before her termination her disciplinary 14 record. 15 Q. If you can turn to the second page of 16 P-32, please. The fourth line in, it says 17 here, "File age discrimination complaint?" The 18 next line says, "I'm scared." 19 A. Uh-huh. 20 Q. Explain to me what those notes mean that 21 you write here? 22 A. My best recollection was I was asking 23 Ruth if it was her intention to file an age 24 discrimination complaint.</p>
<p style="text-align: right;">Page 34</p> <p>1 the department office. Not being asked to do 2 some of the functions that she believed were 3 within her job description. Being disciplined 4 for arriving late or not coming to work without 5 notice when she said another employee had done 6 the same thing and not been disciplined. I 7 would have asked him about examples Ruth had 8 given me. 9 BY MR. MUNSHI: 10 Q. Did Ruth ever express to you that she 11 felt bullied by Dr. Wu? 12 A. She may have used the word. I'm not 13 sure. 14 Q. Did she ever express to you that she 15 felt that she was being threatened? 16 A. I don't think so. If she used the word, 17 what she related to me, I didn't see that he had 18 put -- it is usually a concern about employment. 19 I didn't see that he had put her employment in 20 jeopardy, that he had related that to her. I 21 didn't hear that from what she conveyed to me. 22 Q. Did she ever express to you that she was 23 afraid of or intimidated by Dr. Wu? 24 A. I don't think so. In fact, Ruth made it</p>	<p style="text-align: right;">Page 36</p> <p>1 She answered, as I noted here, "I'm 2 scared." And she continued, "I'd like to get 3 away from Greg Wacker." 4 Q. So these are her words, "I'd like to get 5 away from Greg Wacker. I feel he is retaliating 6 because of what happened with Tanya Honeywell 7 complaint and my testimony as if Greg is 8 thinking, 'they messed with the wrong person and 9 I'll find a way to take them down'?" 10 A. Yes. 11 Q. Those are her words? 12 A. That is what Ruth was relating to me. 13 Q. Did you respond at all to her stating to 14 you that she is scared? 15 A. I think I may have asked her why she 16 felt scared, which elicited the further 17 response. 18 Q. Temple has an anti-retaliation policy, 19 isn't that right? 20 A. Yes. 21 Q. Did you explain that to her? 22 A. I usually say as a practice, I say to 23 individuals who come with a complaint, here is 24 the jurisdiction of EOC, unlawful discrimination</p>

RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

SANDRA A. FOEHL
June 30, 2017

<p style="text-align: right;">Page 37</p> <p>1 on the basis of. Individuals are entitled to 2 raise a concern without fear of retaliation. If 3 after EOC launches an investigation, if that's 4 what the individual asks us to do, if you feel 5 that you are being subjected to retaliation, 6 please let us know that. That is also subject 7 to investigation. 8 Q. In your years at Temple, approximately 9 how many investigations had you conducted into 10 complaints of discrimination? 11 A. Over a thousand. 12 Q. How about just employment 13 discrimination, still over a thousand? 14 A. Probably. 15 Q. Have you ever conducted an investigation 16 concluding that there was discrimination that 17 took place? 18 MS. SATINSKY: Objection to form. 19 THE WITNESS: My writeups are 20 usually apt to say that, either that I found no 21 violation of university policy, or I have reason 22 to believe that university policy was not 23 followed. 24 BY MR. MUNSHI:</p>	<p style="text-align: right;">Page 39</p> <p>1 with Dr. Wu, prior to the end of her employment, 2 did you seek to try to resolve any issues there? 3 A. Well, it's hard for me to remember. I 4 think Ruth was the one who first told me that 5 Drew DiMeo was meeting regularly in her meetings 6 with Dr. Wu, and I thought that was a positive 7 step. I hat it was the school's own effort to 8 minimize conflict, resolve conflict, prevent 9 conflict between Dr. Wu and Ruth. 10 Q. From what you learned and heard, was 11 that a successful endeavor? 12 A. Drew DiMeo and Ruth disagreed with that. 13 Q. When did you learn that there was a 14 disagreement between Ruth and Drew DiMeo? 15 A. When I met with Drew in April of 2014. 16 Q. This, again, was after Miss Briggs was 17 no longer employed at Temple? 18 A. Yes. 19 Q. How many times did you meet with or 20 speak with Drew about Ruth Briggs in April of 21 2014? 22 A. Just once, I think. 23 Q. In person or over the phone? 24 A. In person.</p>
<p style="text-align: right;">Page 38</p> <p>1 Q. So have there been any investigations 2 where you have concluded that Temple policies 3 were not followed? 4 A. Yes. 5 Q. What percentage would you say? 6 A. That's hard to say. 7 It is really hard for me to estimate 8 because, as I pointed out earlier, we can do 9 informal complaint resolution. We can do formal 10 investigations, and we have the capability of 11 resolving matters before I need to get to a 12 conclusion. 13 So when I have been concerned about 14 university policy not being followed as it 15 should, it is possible for me to have someone 16 rectify that before and resolve the matter. 17 Q. And with regard to Ruth Briggs, did you 18 ever attempt to resolve the matter? 19 A. One of the reasons for talking to 20 Deirdre Walton was to have human resources 21 address her concerns about salary, and if there 22 was some reason for those concerns to rectify 23 the issue. 24 Q. How about her relationship in general</p>	<p style="text-align: right;">Page 40</p> <p>1 Q. Approximately how long was that, do you 2 know? 3 A. At least a half an hour. Maybe as long 4 as an hour. 5 Q. And did you inform Mr. DiMeo that you 6 were doing an investigation? 7 A. Yes. 8 Q. Had you ever interacted with Drew DiMeo 9 prior to that date? 10 A. No, that was my first occasion to meet 11 Drew. 12 Q. And did you explain to him that you 13 worked in the EOC office? 14 A. Yes. 15 Q. Did you inform Drew that Ruth Briggs had 16 raised a complaint about Dr. Wu? 17 A. Yes. 18 Q. Did he express to you that he was 19 already aware that Ruth Briggs had raised a 20 complaint about Dr. Wu? 21 A. I don't recall that. 22 MR. MUNSHI: This is <u>P-33</u>. 23 (<u>P-33</u> was marked for 24 identification.)</p>

RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

SANDRA A. FOEHL
June 30, 2017

<p style="text-align: right;">Page 41</p> <p>1 BY MR. MUNSHI:</p> <p>2 Q. So <u>P-33</u> in front of you is an e-mail</p> <p>3 sent to Miss Walton and Mr. Brunner within a</p> <p>4 couple of days after you met with her; right?</p> <p>5 MS. SATINSKY: Objection to form.</p> <p>6 THE WITNESS: As I recall, the</p> <p>7 meeting was on July 30th, so we asked -- my</p> <p>8 communication would have been within a few days</p> <p>9 after that meeting.</p> <p>10 BY MR. MUNSHI:</p> <p>11 Q. Your subject line in your e-mail</p> <p>12 is "Employee Complaint." Do you see that?</p> <p>13 A. Uh-huh.</p> <p>14 Q. Just verbalize, please.</p> <p>15 A. Yes, I see that.</p> <p>16 Q. So did you understand leaving the</p> <p>17 meeting on July 30th at 2012 that Miss Briggs</p> <p>18 was raising a complaint with you?</p> <p>19 MS. SATINSKY: Objection to form.</p> <p>20 THE WITNESS: That's a pretty</p> <p>21 typical heading for me. Student complaint,</p> <p>22 employee complaint, sometimes I use the</p> <p>23 word "concern."</p> <p>24 Ruth had come and done some</p>	<p style="text-align: right;">Page 43</p> <p>1 evaluations. But that would have been why I</p> <p>2 called or reached out to Eric Brunner.</p> <p>3 Q. And your subsequent conversation with</p> <p>4 Miss Walton, did you talk about anything else</p> <p>5 besides salary?</p> <p>6 A. I don't think so. Salary is what I</p> <p>7 remember discussing, that would be true.</p> <p>8 Q. Did you ask her about the comments that</p> <p>9 Dr. Wu said about China and women?</p> <p>10 A. I don't think so. That would have been</p> <p>11 an issue for my office if that was -- if it was</p> <p>12 a matter for investigating, it would have been</p> <p>13 my office, not human resources.</p> <p>14 Q. Did you have an understanding as to</p> <p>15 whether or not Miss Walton already knew about</p> <p>16 that allegation?</p> <p>17 A. No recollection that she did.</p> <p>18 Q. Did you ever discuss that allegation</p> <p>19 with Miss Walton?</p> <p>20 A. I don't remember doing that.</p> <p>21 Q. Why didn't you ask Dr. Wu at that time</p> <p>22 if he said that comment?</p> <p>23 A. I'm sorry.</p> <p>24 Q. At that time that you learned about the</p>
<p style="text-align: right;">Page 42</p> <p>1 complaining about her salary and her work</p> <p>2 situation. I asked if HR had a history as well</p> <p>3 on these concerns.</p> <p>4 BY MR. MUNSHI:</p> <p>5 Q. Which concerns?</p> <p>6 A. Salary, principally.</p> <p>7 Q. There is nothing about salary in this</p> <p>8 e-mail, is there?</p> <p>9 A. No.</p> <p>10 Q. Is there another e-mail that you sent to</p> <p>11 them where you specifically asked about</p> <p>12 information on salary?</p> <p>13 A. No. It was simply an overture to talk</p> <p>14 with me. I asked Deirdre about salary. I</p> <p>15 asked, I believe I asked Eric about her</p> <p>16 performance evaluations.</p> <p>17 Q. Performance evaluations is another thing</p> <p>18 you discussed with Ruth Briggs on July 30th,</p> <p>19 2012; correct?</p> <p>20 A. I'm not perfectly clear. I think at</p> <p>21 some point, and it was probably the July 30th</p> <p>22 meeting, Ruth referred to her performance</p> <p>23 evaluations -- I don't remember what she said</p> <p>24 specifically, but about her performance</p>	<p style="text-align: right;">Page 44</p> <p>1 comment from Ruth Briggs, why didn't you reach</p> <p>2 out to Dr. Wu and say, "Did you say this?"</p> <p>3 MS. SATINSKY: Objection to form.</p> <p>4 THE WITNESS: If I'm keeping the</p> <p>5 timeline straight in my own head, she sent this</p> <p>6 July 30th, but she did not say, "I want you to</p> <p>7 investigate."</p> <p>8 BY MR. MUNSHI:</p> <p>9 Q. This is a document that had been</p> <p>10 previously marked as <u>P-8</u>. It doesn't have a</p> <p>11 sticker on it, so the same thing we did before,</p> <p>12 if we could just throw a <u>P-8</u> on there.</p> <p>13 Before we get there, in your</p> <p>14 conversation with Miss Walton, did she inform</p> <p>15 you that she had been in contact with Ruth</p> <p>16 Briggs about any workplace issues?</p> <p>17 A. My best recollection is Ruth had</p> <p>18 discussed her concern about salary with Deirdre.</p> <p>19 That's all I recall hearing they discussed.</p> <p>20 Q. Ruth, when she was having her</p> <p>21 conversation with you about salary, was she</p> <p>22 blaming that on Dr. Wu specifically or anybody</p> <p>23 in particular?</p> <p>24 A. I don't remember that she was laying it</p>

RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

SANDRA A. FOEHL
June 30, 2017

<p style="text-align: right;">Page 45</p> <p>1 at any particular individual's door.</p> <p>2 Q. But certainly within your meeting on</p> <p>3 July 30th, putting aside allegations about</p> <p>4 salary, you did understand that Miss Briggs was</p> <p>5 raising a concern or a complaint with you</p> <p>6 specifically about Dr. Wu; right?</p> <p>7 A. Yes.</p> <p>8 Q. And then did you ever ask Miss Walton if</p> <p>9 she also had communications with Ruth Briggs</p> <p>10 about Dr. Wu specifically?</p> <p>11 A. I don't recall doing that.</p> <p>12 Q. Do you recall asking Miss Walton if she</p> <p>13 had any communications with Greg Wacker about</p> <p>14 the relationship between Miss Briggs and Dr. Wu?</p> <p>15 A. You're asking about Deirdre's</p> <p>16 conversation with Greg?</p> <p>17 Q. Current.</p> <p>18 A. Did they have any?</p> <p>19 I don't remember asking.</p> <p>20 Q. Well, did you have an understanding that</p> <p>21 those conversations were happening?</p> <p>22 A. I don't remember Deirdre saying yes, I</p> <p>23 have been talking to Greg Wacker. I don't</p> <p>24 remember if she did that.</p>	<p style="text-align: right;">Page 47</p> <p>1 Q. The e-mail on the bottom is dated</p> <p>2 September 9th, 2012, from Ruth Briggs to you.</p> <p>3 Do you see that?</p> <p>4 A. Yes.</p> <p>5 Q. The third to last paragraph in her</p> <p>6 e-mail to you states, it starts with, "Regarding</p> <p>7 our discussion related to Dr. Wu's comments</p> <p>8 about my age."</p> <p>9 Do you see that?</p> <p>10 A. Yes.</p> <p>11 Q. Are there any other comments that Ruth</p> <p>12 Briggs made to you regarding her age?</p> <p>13 A. No.</p> <p>14 Q. When Ruth Briggs relayed that comment</p> <p>15 that Dr. Wu said, did you understand from her</p> <p>16 that she thought it was age related?</p> <p>17 MS. SATINSKY: Objection to form.</p> <p>18 THE WITNESS: It was age related.</p> <p>19 What I didn't know when Ruth was relating it to</p> <p>20 me was how it related to her age. I didn't know</p> <p>21 how old Ruth was.</p> <p>22 BY MR. MUNSHI:</p> <p>23 Q. She says here comments about "my age."</p> <p>24 Do you see that she wrote that?</p>
<p style="text-align: right;">Page 46</p> <p>1 Q. As part of your early investigation in</p> <p>2 April of 2014, did you ever speak with Greg</p> <p>3 Wacker?</p> <p>4 MS. SATINSKY: Prior to May 6th?</p> <p>5 MR. MUNSHI: I specifically said</p> <p>6 April 2014.</p> <p>7 THE WITNESS: April 2014, the orders</p> <p>8 I recall was Dr. Wu first, then Drew DiMeo and</p> <p>9 then Greg Wacker all in a fairly short period of</p> <p>10 time. I'm thinking it was before May 6th.</p> <p>11 BY MR. MUNSHI:</p> <p>12 Q. What do you recall discussing with Greg</p> <p>13 Wacker in April or before May 6th?</p> <p>14 MS. SATINSKY: Can we go off the</p> <p>15 record?</p> <p>16 MR. MUNSHI: Yes.</p> <p>17 (A discussion was held off the</p> <p>18 record.)</p> <p>19 BY MR. MUNSHI:</p> <p>20 Q. In front of you is a document that has</p> <p>21 been marked as P-8.</p> <p>22 Did you get a chance to review that</p> <p>23 one?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 48</p> <p>1 A. Yes.</p> <p>2 Q. So as of this date, September 9th, 2012,</p> <p>3 did you understand that she interpreted Dr. Wu's</p> <p>4 comment to be about her age?</p> <p>5 MS. SATINSKY: Objection to form.</p> <p>6 THE WITNESS: At this time I knew</p> <p>7 her report of the original comment, women in</p> <p>8 China. So, no, I don't think I drew a</p> <p>9 conclusion that he was commenting about her age.</p> <p>10 I didn't know Dr. Wu's age at the time.</p> <p>11 BY MR. MUNSHI:</p> <p>12 Q. Why is Dr. Wu's age relevant?</p> <p>13 A. Context, I think, is always important to</p> <p>14 a complaint investigation, although I hadn't</p> <p>15 launched one at this time.</p> <p>16 Q. As of this period we are looking at,</p> <p>17 which is still 2012, did Ruth Briggs express to</p> <p>18 you that Dr. Wu did anything to exhibit age bias</p> <p>19 towards her?</p> <p>20 A. Please repeat the question.</p> <p>21 Q. Sure. During this period in 2012, did</p> <p>22 Ruth Briggs express to you that Dr. Wu had</p> <p>23 exhibited age bias towards her?</p> <p>24 A. No.</p>

RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

SANDRA A. FOEHL
June 30, 2017

<p style="text-align: right;">Page 49</p> <p>1 MR. MUNSHI: This is <u>P-34</u>. 2 (<u>P-34</u> was marked for 3 identification.) 4 BY MR. MUNSHI: 5 Q. I will give you a moment to review. 6 A. (Pause.) 7 Okay. 8 Q. So the e-mail here from you to 9 Miss Briggs dated November 5th, 2012, directing 10 your attention to the middle of the first 11 paragraph, you write here, "If you are now 12 authorizing action, will you please respond to 13 my request of August 30, 2012, for a written 14 statement setting out the particular instances 15 of bullying, threats of dismissal, and 16 expressions of age bias by Dr. Wu and/or 17 Mr. Wacker." 18 Do you see that? 19 A. Yes. 20 Q. The phrase in your own e-mail is 21 "expressions of age bias by Dr. Wu and/or 22 Mr. Wacker." 23 Why did you write that? 24 A. Are you asking about expressions of age</p>	<p style="text-align: right;">Page 51</p> <p>1 very specific. So I finally said, "Please, 2 Ruth, be specific." 3 BY MR. MUNSHI: 4 Q. When you did have the discussion about 5 filing an age discrimination complaint, she 6 responded that she was scared; right? 7 MS. SATINSKY: Objection to form. 8 Misstates testimony. 9 THE WITNESS: I think we've gone 10 over my notes. She said she was scared. I said 11 -- I would likely have said, why, which 12 related -- she related further. 13 And I think in that, in my notes, 14 she responded -- let me check -- she responded 15 mostly about Greg Wacker, which was then 16 puzzling in November of 2012 because she wasn't 17 being supervised by Greg Wacker. 18 BY MR. MUNSHI: 19 Q. Did you have an understanding back then 20 as to what Greg Wacker's relationship to Ruth 21 Briggs was? 22 A. Their relationship when? 23 Q. November 2012. Workplace relationship. 24 A. Her direct supervisor was Dr. Wu.</p>
<p style="text-align: right;">Page 50</p> <p>1 bias plural or are you asking about the whole 2 sentence? 3 Q. I will ask you a better question. 4 What information and what did you 5 know at that time that led you to now ask Ruth 6 Briggs for particular instances of expressions 7 of age bias? 8 A. When I wrote this, I had only Ruth 9 Briggs' concerns, reports, complaints to me, and 10 they were divergent, varying, kind of all over 11 the place. And I was asking Ruth if she was now 12 wanting me to investigate her concerns, to 13 please be specific. 14 Q. But at the very least, we know from your 15 July 30th, 2012, meeting, that the concept of 16 filing an age discrimination complaint was 17 discussed with her; correct? 18 MS. SATINSKY: Objection to form. 19 THE WITNESS: As I recall from my 20 earlier notes, which we reviewed today, I asked 21 Ruth was she complaining of age bias. 22 Again, it was difficult to -- Ruth 23 tended not to be specific. She related one 24 concern and then another concern without being</p>	<p style="text-align: right;">Page 52</p> <p>1 Ruth wouldn't have been supervised 2 by Greg Wacker in 2012 when she was reporting to 3 the department chair, Dr. Wu. 4 Q. Did you ever find out if they had an 5 indirect working relationship back then? 6 A. Indirect how? What kind of indirect 7 work relationship? 8 Q. That he had any sort of supervisory 9 duties over her as a staff member within that 10 department? 11 A. I don't recall learning that he had 12 such. I don't think he did. I didn't hear of 13 it. 14 Q. You also write here, "particular 15 instances of bullying." 16 So was that a phrase that she had 17 used with you about bullying? 18 A. My recollection is that she called Greg 19 a bully. And she didn't -- it was in reference 20 not to herself so much, but to Judy Lennon, 21 secretary in the office, who was supposedly 22 bullied by Greg Wacker. 23 Q. You conclude in this e-mail here 24 advising her that complaints of unlawful</p>

RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

SANDRA A. FOEHL
June 30, 2017

<p style="text-align: right;">Page 53</p> <p>1 discrimination may be made to government 2 compliance agencies, as well as to this office, 3 meaning the EOC office; right? 4 A. Yes. 5 Q. And then you attached her information 6 regarding the agency? 7 A. Yes. 8 Q. So at this point, November of 2012, you 9 had an understanding at the very least that it 10 is a possibility that she is going to file an 11 age discrimination complaint; right? 12 MS. SATINSKY: Objection to form. 13 THE WITNESS: I don't think I would 14 have necessarily drawn that conclusion. It's 15 been my experience that I have had individuals 16 come and complain and complain and complain over 17 and over again, and they never do file a formal 18 complaint with EOC. 19 Is it a possibility? It's a 20 possibility. 21 BY MR. MUNSHI: 22 Q. Did she ask for this information that 23 you sent to her, or did you send it on your own? 24 A. It's a practice of my office to send it.</p>	<p style="text-align: right;">Page 55</p> <p>1 February 8th with an e-mail, "Subject: Urgent." 2 She starts by saying, "Sandy, I am so bullied 3 and harassed all day." 4 Do you see that? 5 A. Yes. 6 Q. She goes on to the next page, the last 7 sentence of the paragraph on the second page 8 says, "No other staff member is required to meet 9 daily for a dose of public humiliation and my 10 request to move the meetings to a private 11 location was flat out denied. When I asked for 12 clarification on an assignment, it is reported 13 to the dean's office as a challenge to his 14 authority. If he can have someone there to 15 protect his interests, there is more than an 16 element of unfairness. It is beginning to feel 17 like psychological abuse." And then she goes 18 on. 19 You then respond to this e-mail; 20 right? 21 A. Yes, I did. 22 Q. And you tell Ruth that this is an issue 23 for human resources first; right? 24 A. Yes.</p>
<p style="text-align: right;">Page 54</p> <p>1 Q. When? 2 A. I'm sorry? 3 Q. It is a practice when, upon what 4 happening would you do that? 5 A. When an individual first comes to talk 6 with me, I may hand over the list. Sometimes 7 it's a follow-up e-mail. 8 Every -- we try to remember to 9 provide it to every individual who comes to EOC 10 so that they know they have recourse beyond the 11 university. 12 MR. MUNSHI: Let's have this marked 13 as P-35, please. 14 (P-35 was marked for 15 identification.) 16 THE WITNESS: Okay. 17 BY MR. MUNSHI: 18 Q. So this e-mail chain is in February of 19 2013. Do you see that? 20 A. Yes. 21 Q. So it is approximately six months after 22 you met with her in July of 2012; right? 23 A. Yes. 24 Q. So Ruth reaches out to you on</p>	<p style="text-align: right;">Page 56</p> <p>1 Q. And by "human resources first," what did 2 you mean? 3 A. Address it to Deirdre Walton in labor 4 and employee relations. 5 Q. And then you write to Deirdre up top on 6 P-35, you say, "Deirdre, I don't see a claim of 7 unlawful discrimination/harassment in Ruth 8 Briggs' message." 9 Do you see that? 10 A. Yes. 11 Q. The first line of Ruth's e-mail to you 12 is, "I am so bullied and harassed all day." 13 Do you see that? 14 A. I do. 15 Q. And approximately six months earlier she 16 had a conversation, she had a meeting with you 17 where there was a discussion about filing an age 18 discrimination complaint; correct? 19 MS. SATINSKY: Objection to form. 20 THE WITNESS: I asked Ruth was she 21 talking about age discrimination. She never did 22 get around to supplying particulars and telling 23 me yes, it's age discrimination, I want you to 24 investigate.</p>

RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

SANDRA A. FOEHL
June 30, 2017

<p style="text-align: right;">Page 57</p> <p>1 BY MR. MUNSHI:</p> <p>2 Q. I understand that she didn't say those</p> <p>3 specific words, but we already saw the e-mail</p> <p>4 where she makes another reference to remarks by</p> <p>5 Dr. Wu about my age.</p> <p>6 A. The one remark that I remember.</p> <p>7 Q. So at this point, you already have met</p> <p>8 with Ruth Briggs, there has already been a</p> <p>9 discussion where she relayed a comment to you</p> <p>10 about women in China. She has already sent you</p> <p>11 an e-mail again referencing a comment about age.</p> <p>12 And now she's coming back to you saying she's</p> <p>13 bullied and harassed all day. Again, she's</p> <p>14 referencing my direct supervisor, who you</p> <p>15 understood to be Dr. Wu; right?</p> <p>16 MS. SATINSKY: Objection to form.</p> <p>17 THE WITNESS: Dr. Wu was her direct</p> <p>18 supervisor.</p> <p>19 BY MR. MUNSHI:</p> <p>20 Q. So what led you to conclude that you</p> <p>21 don't see a claim of unlawful</p> <p>22 discrimination/harassment in light of all these</p> <p>23 events that have taken place within the previous</p> <p>24 six months?</p>	<p style="text-align: right;">Page 59</p> <p>1 does. Says, "I did this and I was lambasted for</p> <p>2 it and so and so did exactly the same thing and</p> <p>3 they are not. In my category, they just</p> <p>4 skated."</p> <p>5 Q. That's a series of facts that happens</p> <p>6 sometimes but not all the time?</p> <p>7 A. Regularly they happen that way.</p> <p>8 Q. Notwithstanding, she even writes in here</p> <p>9 like I just read, "No other staff member is</p> <p>10 required to meet daily for a dose of public</p> <p>11 humiliation." So she is talking about how she</p> <p>12 is being treated differently than other people?</p> <p>13 MS. SATINSKY: Objection to form.</p> <p>14 THE WITNESS: That's what Ruth said.</p> <p>15 Is that what was happening? Or were there at</p> <p>16 least two other sides of the circumstance? Was</p> <p>17 this hyperbole on Ruth's part? Ruth hadn't told</p> <p>18 me to investigate.</p> <p>19 But she had access to someone in</p> <p>20 human resources who could address issues of</p> <p>21 conflict between employee and supervisor.</p> <p>22 BY MR. MUNSHI:</p> <p>23 Q. This two sides of the story that you</p> <p>24 just said, did you ever look into whether there</p>
<p style="text-align: right;">Page 58</p> <p>1 MS. SATINSKY: Objection to form.</p> <p>2 THE WITNESS: Ruth, except when she</p> <p>3 compared herself with the young employee who was</p> <p>4 not disciplined as Ruth claimed for similar</p> <p>5 practice, never said to me, I'm being treated</p> <p>6 differently because of my age or my gender or my</p> <p>7 national origin or my religion. Nor did she</p> <p>8 point to anyone else and say, see, he or she is</p> <p>9 doing precisely what I'm doing and is just</p> <p>10 getting along swimmingly. Ruth never made that</p> <p>11 case to me.</p> <p>12 And what she's doing here in her</p> <p>13 memo or e-mail of February 8th is laying out for</p> <p>14 me a very recognizable issue of clashing</p> <p>15 supervisor and employee, and that goes first to</p> <p>16 human resources to try and resolve.</p> <p>17 BY MR. MUNSHI:</p> <p>18 Q. This idea of comparing herself to</p> <p>19 somebody else who is not of her protected</p> <p>20 characteristic, in your experience in doing the</p> <p>21 work that you do at Temple, is that a</p> <p>22 requirement in order for you to do anything?</p> <p>23 A. I wouldn't call it a requirement, but it</p> <p>24 is usually the first thing that a complainant</p>	<p style="text-align: right;">Page 60</p> <p>1 was another side to the story in February of</p> <p>2 2013?</p> <p>3 A. Not in February 2013. In April of 2014</p> <p>4 when Ruth said investigate, I did.</p> <p>5 Q. So at this point, you only had Ruth's</p> <p>6 side of the story; right?</p> <p>7 MS. SATINSKY: Objection to form.</p> <p>8 THE WITNESS: I had Ruth's several</p> <p>9 sides of what was going on with Ruth since her</p> <p>10 story moved in several different directions over</p> <p>11 time. Which is why I asked her to please put a</p> <p>12 statement in writing to me, which she never did.</p> <p>13 BY MR. MUNSHI:</p> <p>14 Q. Her story that Dr. Wu, her direct</p> <p>15 supervisor, had made a comment to her about age</p> <p>16 and women in China, did that ever change?</p> <p>17 MS. SATINSKY: Objection to form.</p> <p>18 THE WITNESS: Basically, no.</p> <p>19 BY MR. MUNSHI:</p> <p>20 Q. Did she ever come to you and say,</p> <p>21 "Actually, Sandy, I made it up"?</p> <p>22 MS. SATINSKY: Objection to form.</p> <p>23 THE WITNESS: Ruth never withdrew</p> <p>24 that remark that she attributed to Dr. Wu.</p>

RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

SANDRA A. FOEHL
June 30, 2017

<p style="text-align: right;">Page 61</p> <p>1 BY MR. MUNSHI:</p> <p>2 Q. You end your e-mail to Deirdre by</p> <p>3 saying, "Please let me or Tracy know if a</p> <p>4 complaint for EOC is raised with you."</p> <p>5 Do you see that?</p> <p>6 A. Yes.</p> <p>7 Q. Didn't Ruth Briggs already raise a</p> <p>8 complaint for EOC with you?</p> <p>9 MS. SATINSKY: Objection to form.</p> <p>10 Asked and answered.</p> <p>11 You can answer the question.</p> <p>12 THE WITNESS: She raised a number of</p> <p>13 concerns by example, but she did not say "I'm</p> <p>14 being discriminated against because of my age,</p> <p>15 please conduct a formal investigation."</p> <p>16 BY MR. MUNSHI:</p> <p>17 Q. Subsequent to 2013, did you have a</p> <p>18 conversation with her about filing a complaint</p> <p>19 with the EEOC?</p> <p>20 A. I remember two things about Ruth's</p> <p>21 filing a complaint with the EEOC. One that I,</p> <p>22 as is practice of my office, let her know that</p> <p>23 she could. And two, in some communication she</p> <p>24 said she had reached out to EEOC.</p>	<p style="text-align: right;">Page 63</p> <p>1 about Ruth Briggs having a phone intake with the</p> <p>2 EEOC?</p> <p>3 A. I did not.</p> <p>4 Q. Did you talk to Deirdre about any recent</p> <p>5 issues that may have existed?</p> <p>6 A. I don't remember.</p> <p>7 Q. Do you recall any discussions with</p> <p>8 Deirdre in this February/March 2014 time period</p> <p>9 about Ruth Briggs?</p> <p>10 A. I don't remember any conversations.</p> <p>11 Q. This is P-30, which we marked this</p> <p>12 morning. Here is P-30.</p> <p>13 A. (Pause.)</p> <p>14 Okay.</p> <p>15 Okay.</p> <p>16 Q. So the top e-mail in P-30 is Deirdre</p> <p>17 forwarding to you an e-mail chain; right?</p> <p>18 A. Yes.</p> <p>19 Q. And the front page of P-30, there is an</p> <p>20 e-mail from Ruth to Deirdre dated March 25th,</p> <p>21 2014. Middle of the first paragraph, she</p> <p>22 writes, "All I want is to continue to work</p> <p>23 without being harassed."</p> <p>24 Do you see that?</p>
<p style="text-align: right;">Page 62</p> <p>1 Q. This was a document that was previously</p> <p>2 marked as <u>P-28</u>, but we're going to have to put</p> <p>3 another sticker on it.</p> <p>4 A. (Pause.)</p> <p>5 Okay.</p> <p>6 Q. The e-mail from Ruth to you is dated</p> <p>7 February 25th, 2014. The subject line, "I want</p> <p>8 to schedule an appointment to file a complaint."</p> <p>9 Do you see that e-mail?</p> <p>10 A. Yes.</p> <p>11 Q. The last sentence of her first paragraph</p> <p>12 to you is, "I plan to file an EEOC complaint</p> <p>13 internally and have already had a phone intake</p> <p>14 with the EEOC."</p> <p>15 Do you see that?</p> <p>16 A. Yes.</p> <p>17 Q. And did you understand that to mean the</p> <p>18 EEOC outside of Temple, meaning the government?</p> <p>19 A. Yes.</p> <p>20 Q. You then forward this e-mail over to</p> <p>21 Deirdre and Tracy Hamilton; right?</p> <p>22 A. Yes.</p> <p>23 Q. Did you talk to anybody or communicate</p> <p>24 to anybody besides Deirdre and Tracy Hamilton</p>	<p style="text-align: right;">Page 64</p> <p>1 A. Yes.</p> <p>2 Q. And then Deirdre sends this to you and</p> <p>3 says, "FYI and for discussion."</p> <p>4 Did you have a discussion with</p> <p>5 Deirdre about this?</p> <p>6 A. I don't remember discussing these with</p> <p>7 Deirdre.</p> <p>8 Q. At any point did Deirdre inform you that</p> <p>9 she was looking into Ruth's complaints?</p> <p>10 A. The only conversation I remember with</p> <p>11 Deirdre about Ruth's complaints was a salary</p> <p>12 issue and how she would go about raising that.</p> <p>13 So that's the only one I remember having a</p> <p>14 conversation.</p> <p>15 Q. And that was back in 2012, the salary</p> <p>16 issue?</p> <p>17 A. Yes, I think so.</p> <p>18 Q. Did Deirdre ever inform you that she was</p> <p>19 having Greg Wacker or Drew DiMeo look into any</p> <p>20 concerns or complaints by Ruth Briggs?</p> <p>21 A. I don't remember that she did.</p> <p>22 Q. Did she ever inform you that she was</p> <p>23 speaking with Dr. Wu about Ruth Briggs'</p> <p>24 complaints or concerns?</p>

RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

SANDRA A. FOEHL
June 30, 2017

<p style="text-align: right;">Page 65</p> <p>1 A. No.</p> <p>2 Q. Did she ever inform you that Greg Wacker</p> <p>3 and Drew DiMeo were speaking with Dr. Wu and</p> <p>4 then reporting back to her about Ruth's</p> <p>5 complaints?</p> <p>6 A. No.</p> <p>7 Q. And then you met with Ruth Briggs in</p> <p>8 April of 2014; correct?</p> <p>9 A. Yes.</p> <p>10 MR. MUNSHI: Let's have this marked</p> <p>11 as <u>P-36</u>.</p> <p>12 (<u>P-36</u> was marked for</p> <p>13 identification.)</p> <p>14 THE WITNESS: (Pause.)</p> <p>15 Okay.</p> <p>16 BY MR. MUNSHI:</p> <p>17 Q. <u>P-36</u>, are these your handwritten notes?</p> <p>18 A. They are.</p> <p>19 Q. Are these your notes from your meeting</p> <p>20 with Ruth Briggs on April 1st, 2014?</p> <p>21 A. Yes.</p> <p>22 Q. Under the heading which says "Mtg with</p> <p>23 Ruth Briggs," it appears the word right</p> <p>24 underneath it is "age."</p>	<p style="text-align: right;">Page 67</p> <p>1 Q. You did understand that she was</p> <p>2 terminated later that day?</p> <p>3 A. I don't remember. I remember Ruth told</p> <p>4 me she had been terminated. I think that was</p> <p>5 how I learned that she had been terminated.</p> <p>6 Q. But that wasn't during this meeting?</p> <p>7 A. No.</p> <p>8 Q. During this meeting, was there any</p> <p>9 discussion from her about whether she thought</p> <p>10 her termination was imminent?</p> <p>11 A. I don't recall that she expressed a</p> <p>12 concern that she was imminent -- that her job</p> <p>13 was in jeopardy at that point in time.</p> <p>14 Q. And at this point in time, April 1st,</p> <p>15 2014, had you had any conversations with anybody</p> <p>16 about the potential for Ruth Briggs being</p> <p>17 terminated?</p> <p>18 A. No.</p> <p>19 Q. During this period of early 2014, let's</p> <p>20 say January 1 to April 1, 2014, did you have a</p> <p>21 conversation with anybody about Ruth Briggs</p> <p>22 besides Deirdre Walton?</p> <p>23 A. I don't recall talking with anyone but</p> <p>24 Deirdre.</p>
<p style="text-align: right;">Page 66</p> <p>1 Do you see that?</p> <p>2 A. Yes.</p> <p>3 Q. Why did you write that?</p> <p>4 A. This is the meeting at which Ruth said</p> <p>5 investigate my complaint, and I would have made</p> <p>6 sure I knew the grounds for the complaint, and</p> <p>7 she said age.</p> <p>8 Q. Did you discuss an intake questionnaire</p> <p>9 that she filed with the EEOC and that point?</p> <p>10 A. Never reviewed the intake questionnaire</p> <p>11 with Ruth that I recall.</p> <p>12 Q. Did you discuss her going to the EEOC</p> <p>13 during this meeting?</p> <p>14 A. I don't remember whether she brought it</p> <p>15 up. I didn't.</p> <p>16 Q. This meeting took place, obviously,</p> <p>17 before her employment was terminated; correct?</p> <p>18 MS. SATINSKY: Objection to form.</p> <p>19 THE WITNESS: I didn't know about, I</p> <p>20 don't think Ruth knew about her termination when</p> <p>21 we met. That came afterward, and I don't even</p> <p>22 remember exactly when I learned. Maybe she told</p> <p>23 me that she had been terminated that day.</p> <p>24 BY MR. MUNSHI:</p>	<p style="text-align: right;">Page 68</p> <p>1 Q. During this meeting, did Miss Briggs</p> <p>2 expressly ask you to investigate her complaint?</p> <p>3 A. That's my recollection, yes.</p> <p>4 Q. And did she give you any more</p> <p>5 information as to the basis of her complaint</p> <p>6 that she wanted you to investigate?</p> <p>7 MS. SATINSKY: Objection. Asked and</p> <p>8 answered.</p> <p>9 You can answer the question.</p> <p>10 THE WITNESS: We were, our</p> <p>11 conversation, there was agreement it was an age</p> <p>12 discrimination complaint. If there was anything</p> <p>13 new, it might have been some of the specific --</p> <p>14 this was probably the first time she had</p> <p>15 introduced Hailey King as a comparator. The</p> <p>16 only comparator she ever gave me.</p> <p>17 MR. MUNSHI: Let's have this marked</p> <p>18 as <u>P-37</u>, please.</p> <p>19 (<u>P-37</u> was marked for</p> <p>20 identification.)</p> <p>21 THE WITNESS: (Pause.)</p> <p>22 Okay.</p> <p>23 BY MR. MUNSHI:</p> <p>24 Q. Are these your notes from April 4th,</p>

RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

SANDRA A. FOEHL
June 30, 2017

<p style="text-align: right;">Page 69</p> <p>1 2014, from your meeting with Dr. Wu?</p> <p>2 A. Yes.</p> <p>3 Q. Was it during this meeting where you had</p> <p>4 a conversation with him about whether he made a</p> <p>5 comment regarding women in China?</p> <p>6 A. I think so.</p> <p>7 Q. Is there anything in your notes about</p> <p>8 that?</p> <p>9 A. No.</p> <p>10 Q. Did you ask Dr. Wu if he had ever</p> <p>11 exhibited any sort of age bias towards Ruth</p> <p>12 Briggs during this meeting?</p> <p>13 A. Even though it's not noted here, I did</p> <p>14 ask him about the comment because what he said</p> <p>15 to me -- oh, I can't answer that.</p> <p>16 Q. Well, if it took place during this</p> <p>17 meeting, then you can tell me what Dr. Wu said</p> <p>18 to you.</p> <p>19 A. Yes.</p> <p>20 MS. SATINSKY: If it took place</p> <p>21 during this meeting and it didn't concern Dr. Wu</p> <p>22 relaying information that he told you he learned</p> <p>23 through counsel, then you can testify about it.</p> <p>24 THE WITNESS: Okay.</p>	<p style="text-align: right;">Page 71</p> <p>1 April 1st, 2014, and she asked you to</p> <p>2 investigate a complaint, did she ask you to</p> <p>3 investigate Dr. Wu, Greg Wacker, both?</p> <p>4 A. We agreed that I would investigate her</p> <p>5 age discrimination complaint.</p> <p>6 Was I investigating -- I was</p> <p>7 investigating then whatever Ruth had said to me</p> <p>8 about largely Dr. Wu. Greg did not appear to be</p> <p>9 directly involved with her supervision at the</p> <p>10 time. But what Ruth told me was what I worked</p> <p>11 from in investigating her complaint.</p> <p>12 Q. But you didn't meet with Greg Wacker in</p> <p>13 April of 2014; correct?</p> <p>14 A. I met with him some time after I met</p> <p>15 with Dr. Wu.</p> <p>16 Q. On the second page of your notes here in</p> <p>17 P-37, the third paragraph in, you write, "She</p> <p>18 never raised a concern about her treatment to</p> <p>19 Dr. Wu, he said, and there was no intention on</p> <p>20 his part to dismiss her."</p> <p>21 So Dr. Wu says to you Miss Briggs</p> <p>22 never raised a concern about what?</p> <p>23 A. She never said to Dr. Wu, you're</p> <p>24 mistreating me or never said you're</p>
<p style="text-align: right;">Page 70</p> <p>1 What he said to me about the remark</p> <p>2 was that he had regular discussions with staff,</p> <p>3 not Ruth only, but with staff, about cultural</p> <p>4 difference, China, the United States.</p> <p>5 Difficulties or differences in languages that</p> <p>6 created some difficulties.</p> <p>7 He said his observation about women</p> <p>8 working in China, not beyond age 55, was an</p> <p>9 observation made to Ruth and/or others. And</p> <p>10 that it was not meant to be upsetting to Ruth</p> <p>11 Briggs.</p> <p>12 BY MR. MUNSHI:</p> <p>13 Q. Did you ask him if he ever did bully or</p> <p>14 threaten Ruth Briggs?</p> <p>15 A. I believe he answered that question. In</p> <p>16 my notes it said he never had any intention to</p> <p>17 terminate her employment, and my recollection in</p> <p>18 going over the materials today is that when she</p> <p>19 talked to me, the bullying was a charge that she</p> <p>20 made -- she laid at Greg Wacker's door. The</p> <p>21 clearest example that she gave with regard to</p> <p>22 Greg Wacker was what she called bullying of the</p> <p>23 department secretary, not of herself.</p> <p>24 Q. When you met with Ruth Briggs on</p>	<p style="text-align: right;">Page 72</p> <p>1 discriminating against me, or never said I don't</p> <p>2 like having duties removed. He said she never</p> <p>3 raised the concern to him.</p> <p>4 Q. Did you ask Dr. Wu if Ruth Briggs did</p> <p>5 respond to his comment about women in China with</p> <p>6 words to the effect of, "We're in the United</p> <p>7 States, not China"?</p> <p>8 A. I don't remember. He did say to me we</p> <p>9 were discussing -- I raised and we discussed</p> <p>10 cultural differences.</p> <p>11 Q. Did you ask Dr. Wu to provide you any</p> <p>12 sort of documentation?</p> <p>13 A. I would have asked him in the course of</p> <p>14 our conversation if he kept notes, kept</p> <p>15 correspondence. And having done so, I would</p> <p>16 have asked for copies.</p> <p>17 I did ask him if he did the annual</p> <p>18 evaluations, the PDP's. He said yes. I did</p> <p>19 look at those.</p> <p>20 Q. Prior to May 26th, 2014, did you see any</p> <p>21 e-mails from Ruth Briggs to Dr. Wu where she</p> <p>22 claimed to be treated unfairly?</p> <p>23 A. From Ruth to Dr. Wu? I don't remember</p> <p>24 seeing e-mails like that.</p>

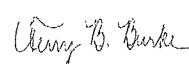
RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

SANDRA A. FOEHL
June 30, 2017

<p style="text-align: right;">Page 73</p> <p>1 Q. Prior to May 2014, did you see any 2 e-mails from Ruth to Greg Wacker stating that 3 Dr. Wu was not treating her fairly? 4 A. I don't remember e-mails from Ruth to 5 Greg Wacker. 6 Q. Prior to May 2014, did you see any 7 e-mails from Ruth Briggs to Deirdre Wallon where 8 she says she is being treated unfairly by 9 Dr. Wu? 10 A. You showed me and I received from 11 Deirdre on March 25th, 2014, Ruth's 12 communications to Deirdre. 13 Q. Prior to May 2014, did you go to Deirdre 14 and ask her for additional documentation as part 15 of your investigation? 16 A. No. 17 Q. Why not? 18 A. I'm trying to think whether I ever asked 19 Deirdre for correspondence. Usually not. We 20 work independently. Deirdre would have been 21 addressing any performance issues in conflict 22 between supervisor and employee. I would have 23 been responsible for complaints of unlawful 24 discrimination. Deirdre hadn't referred any</p>	<p style="text-align: right;">Page 75</p> <p>1 THE WITNESS: Yes, but Deirdre would 2 not have been the one who created the hostile 3 work environment. I would have gone to the 4 source, Dr. Wu, Drew DiMeo, Greg Wacker. 5 BY MR. MUNSHI: 6 Q. Did you ever ask Dr. Wu during that 7 meeting on April 2014 if he did in fact raise 8 his voice and yell at Ruth Briggs? 9 A. What I remember is learning that Dr. Wu 10 was said to have raised his voice with others, 11 including his doctoral students. Ruth might 12 have been the source of that information. 13 That's the information I remember, that he 14 raised his voice with others. 15 Q. Do you also recall her saying that she 16 felt publicly demeaned by him? 17 A. She did not say that to me when we were 18 conversing. I saw it in the e-mail 19 communication. 20 Q. I am sorry. It looked like you were 21 still thinking. 22 A. I am done. 23 Q. Did you ever ask Dr. Wu if he did in 24 fact publicly humiliate Ruth Briggs?</p>
<p style="text-align: right;">Page 74</p> <p>1 complaints from Ruth about discrimination to me. 2 So my firsthand resources would have 3 been Dr. Wu, Mr. DiMeo and Greg Wacker, not 4 Deirdre. 5 Q. Did Deirdre ever inform you that Ruth 6 Briggs had complained about a hostile work 7 environment to her? 8 MS. SATINSKY: Objection to form. 9 THE WITNESS: Please repeat the 10 question. 11 BY MR. MUNSHI: 12 Q. A very simple question. 13 Did Deirdre Walton ever inform you 14 that Ruth Briggs had raised any complaints of 15 hostile work environment to her? 16 MS. SATINSKY: Objection to form. 17 BY MR. MUNSHI: 18 Q. Do you understand my question? 19 A. I think so. 20 I don't think Deirdre ever used that 21 expression to me in conversation about Ruth. 22 Q. Is that something you would want to know 23 if you are doing an investigation? 24 MS. SATINSKY: Objection to form.</p>	<p style="text-align: right;">Page 76</p> <p>1 A. If she hadn't said that to me directly, 2 probably not. 3 Q. Well, we can look at P-32, which is your 4 notes, the first set of notes that we looked at. 5 A. First set of notes? The handwritten 6 notes? 7 Q. It is right in your right hand on the 8 bottom there. 9 A. Okay. 10 Q. The first thing you wrote under 11 "Problems" was, "Dr. Wu yells and says demeaning 12 things, e.g., 'Are you stupid?'" 13 So did you ask Dr. Wu if he said 14 demeaning things to Ruth Briggs? 15 A. I don't remember whether I did or not, 16 but again, I remember being told maybe by Ruth 17 also that he -- this was behavior that was not 18 directed solely at Ruth, which is one more 19 reason why human resources was the first line of 20 defense, because human resources helps manage 21 managers. 22 MR. MUNSHI: I have no further 23 questions, Miss Foehl. Thank you for being 24 here.</p>

RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

SANDRA A. FOEHL
June 30, 2017

Page 77	Page 79
<p>1 MS. SATINSKY: I don't have any</p> <p>2 questions. The witness reserves the right to</p> <p>3 read and sign.</p> <p>4 (Witness excused.)</p> <p>5 - - -</p> <p>6 (The deposition concluded at</p> <p>7 3:41 p.m.)</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p>1</p> <p>2 WITNESS SIGNATURE/CERTIFICATION PAGE</p> <p>3</p> <p>4 I have read the foregoing transcript</p> <p>5 of my deposition given on Friday, June 30, 2017,</p> <p>6 and it is true, correct and complete, to the</p> <p>7 best of my knowledge, recollection and belief,</p> <p>8 except for the list of corrections, if any,</p> <p>9 attached on a separate sheet herewith.</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17 DATE SANDRA A. FOEHL</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>
Page 78	Page 80
<p>1 I N D E X</p> <p>2 DEPONENT: SANDRA A. FOEHL PAGE</p> <p>3 Examination by Mr. Munshi 2</p> <p>4 E X H I B I T S</p> <p>5 FOEHL DEPOSITION EXHIBITS MARKED</p> <p>6 P-31 E-mail string, TEMPLE UNIVERSITY 18</p> <p>7 (R. BRIGGS) - 0000210 - 0000211</p> <p>8 P-32 Handwritten notes, "Meeting 28</p> <p>9 requested by Ruth Briggs,</p> <p>10 7/30/2012," three pages</p> <p>11 P-33 E-mail, TEMPLE UNIVERSITY 40</p> <p>12 (R. BRIGGS) - 0000052</p> <p>13 P-34 E-mail string, TEMPLE UNIVERSITY 49</p> <p>14 (R. BRIGGS) - 0000199</p> <p>15 P-35 E-mail string, TEMPLE UNIVERSITY 54</p> <p>16 (R. BRIGGS) - 0000116 - 0000117</p> <p>17 P-36 Handwritten notes, "Meeting with 65</p> <p>18 Ruth Briggs, 4/1/2014," one page</p> <p>19 P-37 Discrimination Case Worksheet, 68</p> <p>20 two pages</p> <p>21 PREVIOUSLY MARKED DEPOSITION EXHIBITS</p> <p>22 P-8 Page 44</p> <p>23 P-28 Page 62</p> <p>24</p>	<p>1</p> <p>2</p> <p>3</p> <p>4 I HEREBY CERTIFY that the</p> <p>5 proceedings, evidence and objections are</p> <p>6 contained fully and accurately in the</p> <p>7 stenographic notes taken by me upon the</p> <p>8 foregoing matter on Friday, June 30, 2017, and</p> <p>9 that this is a true and correct transcript of</p> <p>10 same.</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15 </p> <p>16 Terry Barbano Burke, RMR-CRR</p> <p>17</p> <p>18</p> <p>19 (The foregoing certification</p> <p>20 of this transcript does not apply to any</p> <p>21 reproduction of the same by any means, unless</p> <p>22 under the direct control and/or supervision of</p> <p>23 the certifying reporter.)</p> <p>24</p>

RUTH V. BRIGGS v.
TEMPLE UNIVERSITYSANDRA A. FOEHL
June 30, 2017

A	B	C		
absent (1) 26:9 abuse (1) 55:17 access (1) 59:19 accommodation (1) 18:3 Act (3) 7:12,15;10:15 action (4) 6:7,8;7:1; 49:12 actually (2) 17:17; 60:21 additional (1) 73:14 address (3) 38:21;56:3; 59:20 addressing (1) 73:21 administrator (1) 15:1 advising (1) 52:24 affirmative (3) 6:7,8;7:1 afraid (1) 34:23 afterward (1) 66:21 again (7) 27:8;39:16; 50:22;53:17;57:11,13; 76:16 against (3) 21:20; 61:14;72:1 Age (43) 7:14;12:5,15; 20:3;30:10,13;35:3,17; 23:47;8:12,16,18,20; 23:48;4:9,10,12,18,23; 49:16,21,24;50:7,16; 21:51;53:11;56:17; 21,23;57:5,11;58:6; 60:15;61:14;65:24; 66:7;68:11;69:11;70:8; 71:5 agencies (1) 53:2 agency (2) 17:12;53:6 ago (1) 3:15 agreed (1) 71:4 agreement (1) 68:11 ahead (2) 4:16;18:20 allegation (2) 43:16,18 allegations (5) 31:14; 15,23;33:13;45:3 allege (1) 7:23 along (1) 58:10 although (1) 48:14 always (1) 48:13 and/or (3) 49:16,21; 70:9 annual (1) 72:17 answered (6) 20:9,18; 36:1;61:10;68:8;70:15 anti-retaliation (1) 36:18 appear (1) 71:8 appears (1) 65:23 appointment (1) 62:8 appreciate (1) 22:21 appropriately (1) 9:10 approved (3) 21:17,21;	22:1 Approximately (6) 3:5; 29:11;37:8;40:1;54:21; 56:15 April (22) 8:9;25:2; 26:14;30:19;32:4,5; 33:18;39:15,20;46:2,6; 7,13;60:3;65:8,20; 67:14,20;68:24;71:1; 13;75:7 apt (1) 37:20 around (2) 29:9;56:22 arriving (1) 34:4 Asian (2) 14:19,20 aside (2) 30:15;45:3 assault (1) 10:23 assigned (1) 26:23 assignment (1) 55:12 associate (1) 27:1 attached (1) 53:5 attempt (1) 38:18 attention (2) 18:8;49:10 attorney (1) 6:10 attorney-client (1) 27:22 attributed (1) 60:24 August (1) 49:13 authority (1) 55:14 authorizing (1) 49:12 aware (2) 35:8;40:19 away (5) 22:5;31:18; 33:24;36:3,5	18:10;19:3,14,17;24:2; 10,17,22;25:3,7,11; 26:3,6,12;27:5,10; 28:23;29:12,19;30:15; 17;31:9,13;32:8,15,23; 33:2,13;35:8;38:17; 39:16,20;40:15,19; 41:17;42:18;44:1,16; 45:4,9,14;47:2,12,14; 48:17,22;49:9;50:6; 51:21;57:8;61:7;63:1; 9;64:20;65:7,20,23; 67:16,21;68:1;69:12; 70:11,14,24;71:21; 72:4,21;73:7;74:6,14; 75:8,24;76:14 Briggs' (11) 13:23; 24:20;25:1,5,11;27:12; 14,24;50:9;56:8;64:23 brought (2) 33:10; 66:14 Brown (4) 19:9,11,13; 26:16 Brunner (3) 25:19;41:3; 43:2 bullied (5) 34:11;52:22; 55:2;56:12;57:13 bully (2) 52:19;70:13 bullying (5) 49:15; 52:15,17;70:19,22 buyer's (1) 23:13	charge (1) 70:19 check (1) 51:14 China (18) 12:14;14:9; 15,19;20:3,7;30:9,13; 35:2;43:9;48:8;57:10; 60:16;69:5;70:4,8; 72:5,7 circumstance (1) 59:16 civil (4) 6:22;7:10,12,23 claim (4) 17:16;18:1; 56:6;57:21 claimed (2) 58:4;72:22 claims (3) 7:18,19,21 clarification (1) 55:12 clashing (1) 58:14 clear (1) 42:20 clearest (1) 70:21 close (1) 33:4 coming (2) 34:4;57:12 comment (19) 12:11; 18;13:9;20:5;30:13,14; 31:1,10;43:22;44:1; 47:14;48:4,7;57:9,11; 60:15;69:5,14;72:5 commenting (1) 48:9 comments (5) 12:3; 43:8;47:7,11,23 common (1) 30:2 commonly (1) 5:10 commonplace (1) 30:6 communicate (1) 62:23 communicating (1) 18:11 communication (4) 23:23;41:8;61:23; 75:19 communications (5) 15:12;27:4;45:9,13; 73:12 comparator (2) 68:15, 16 compared (2) 35:12; 58:3 comparing (1) 58:18 compensated (1) 11:24 complain (4) 11:16; 53:16,16,16 complainant (2) 33:2; 58:24 complainant's (1) 23:5 complained (1) 74:6 complaining (3) 20:15; 42:1;50:21 complaint (57) 7:2,3; 8:1,10,11,14,16,17,20; 9:18;10:19;12:19,22; 15:4,5,6;17:11,12,21;1; 13;22:22;23:2,3,10; 30:18;35:17,24;36:7; 23;38:9;40:16,20; 41:12,18,21,22;45:5; 48:14;50:16;51:5; 53:11,18;56:18;61:4,8;	18,21;62:8,12;66:5,6; 68:2,5,12;71:2,5,11 complaints (17) 7:8; 12:2;28:1;32:24;33:5; 10;37:10;50:9;52:24; 64:9,11,20,24;65:5; 73:23;74:1,14 complete (1) 17:8 Compliance (6) 5:9; 6:21;9:3,10;15:2;53:2 concept (1) 50:15 concern (19) 9:17; 10:16;19:18;20:14; 21:20;24:13,14;34:18; 37:2;41:23;44:18;45:5; 50:24,24;67:12;69:21; 71:18,22;72:3 concerned (6) 19:21, 24;20:21;21:15,24; 38:13 concerns (19) 8:13,22; 9:7,11;23;18:12;20:21; 21:4;23:6,19;33:22; 38:21,22;42:3,5;50:9, 12;61:13;64:20,24 conclude (2) 52:23; 57:20 concluded (2) 38:2; 77:6 concluding (1) 37:16 conclusion (5) 17:17, 21;38:12;48:9;53:14 conduct (4) 9:17,19; 35:10;61:15 conducted (2) 37:9,15 conducting (2) 32:19,23 confer (1) 26:8 conflict (5) 39:8,8,9; 59:21;73:21 connection (3) 16:24; 17:7,15 consider (5) 5:22; 12:18,21;13:17,18 contact (1) 44:15 content (4) 22:21; 23:10;27:3,9 context (2) 14:8;48:13 continue (1) 63:22 continued (1) 36:2 conversation (25) 9:8; 13:2;16:2;18:9;19:20; 20:2;24:21;25:19,23; 29:4;32:5,16;43:3; 44:14,21;45:16;56:16; 61:18;64:10,14;67:21; 68:11;69:4;72:14; 74:21 conversations (7) 15:14;25:2,7,10; 45:21;63:10;67:15 conversing (1) 75:18 convey (1) 23:5 conveyed (1) 34:21

RUTH V. BRIGGS v.
TEMPLE UNIVERSITYSANDRA A. FOEHL
June 30, 2017

<p>copies (1) 72:16 correspondence (2) 72:15;73:19 counsel (6) 26:19,22; 27:1,4;30:16;69:23 counseling (4) 11:8,11, 14,15 counsel's (2) 17:13; 26:20 count (1) 6:13 country (3) 12:14;14:9, 20 couple (1) 41:4 course (3) 6:13;9:8; 72:13 courses (1) 6:12 created (2) 70:6;75:2 Culbreath-Walton (1) 24:4 cultural (6) 13:3,14; 14:12;32:13;70:3; 72:10 culture (1) 14:2 current (2) 5:7;45:17 currently (1) 5:4</p>	<p>32:13,14;70:5;72:10 different (3) 13:15;35:7; 60:10 differently (2) 58:6; 59:12 difficult (1) 50:22 Difficulties (2) 70:5,6 DiMeo (11) 25:7;39:5, 12,14;40:5,8;46:8; 64:19;65:3;74:3;75:4 direct (5) 11:8;51:24; 57:14,17;60:14 directed (3) 13:6,13; 76:18 directing (1) 49:9 direction (1) 9:12 directions (1) 60:10 directly (4) 13:16; 26:18;71:9;76:1 Director (2) 5:8;6:19 disability (1) 18:3 disagreed (1) 39:12 disagreement (3) 16:10,16;39:14 disciplinary (2) 35:9,13 discipline (2) 32:3; 35:11 disciplined (4) 31:20; 34:3,6;58:4 discover (1) 9:9 discretion (1) 10:8 discriminated (1) 61:14 discriminating (1) 72:1 discrimination (24) 7:3, 5,6,14,17;8:2,13;19; 35:17,24;36:24;37:10, 13,16;50:16;51:5;53:1, 11;56:18,21,23;68:12; 71:5;73:24;74:1 discrimination/harassment (2) 56:7;57:22 discuss (7) 20:24;23:2; 30:14;31:1;43:18;66:8, 12 discussed (7) 8:21; 32:13;42:18;44:18,19; 50:17;72:9 discussing (7) 8:24; 19:16;31:24;43:7; 46:12;64:6;72:9 discussion (10) 23:18; 31:5;46:17;47:7;51:4; 56:17;57:9;64:3,4;67:9 discussions (2) 63:7; 70:2 dismiss (1) 71:20 dismissal (1) 49:15 disposed (2) 16:15,18 dispute (1) 16:20 distinction (1) 8:23 divergent (1) 50:10 doctoral (1) 75:11 document (7) 17:9;</p>	<p>18:15,20;28:8;44:9; 46:20;62:1 documentation (2) 72:12;73:14 done (10) 8:13;12:15; 20:3;30:10,14;34:5; 35:2;41:24;72:15; 75:22 door (2) 45:1;70:20 dose (2) 55:9;59:10 down (1) 4:3 down' (1) 36:9 Dr (74) 12:8;13:22,24; 14:14;19:21;20:2,6; 25:9;29:15,21;31:11, 13,24;32:5,18;33:9,12; 34:11,23;35:2;39:1,6, 9;40:16,20;43:9,21; 44:2,22;45:6,10,14; 46:8;47:7,15;48:3,10, 12,18,22;49:16,21; 51:24;52:3;57:5,15,17; 60:14,24;64:23;65:3; 69:1,10,17,21;71:3,8, 15,19,21,23;72:4,11, 21,23;73:3,9;74:3; 75:4,6,9,23;76:11,13 drawn (2) 32:4;53:14 Drew (14) 25:7;39:5, 12,14,15,20;40:8,11, 15;46:8;48:8;64:19; 65:3;75:4 during (13) 20:24;21:8; 48:21;66:13;67:6,8,19; 68:1;69:3,12,16,21; 75:6 duties (4) 6:18;31:18; 52:9;72:2</p>	<p>61:2;62:6,9,20;63:16, 17,20;75:18 e-mails (5) 72:21,24; 73:2,4,7 emotional (1) 11:2 employed (3) 5:4; 30:20;39:17 employee (12) 3:8; 30:2;31:21;34:5;35:12; 41:12,22;56:4;58:3,15; 59:21;73:22 Employment (16) 7:5, 14;8:9;19:10;24:20; 25:1,6,11;27:12,14; 34:18,19;37:12;39:1; 66:17;70:17 employment-related (1) 3:10 end (7) 24:19;25:5,10; 27:11,13;39:1;61:2 endeavor (1) 39:11 ended (2) 8:8;25:1 enough (1) 11:3 entitled (1) 37:1 environment (6) 7:22; 11:18,22;74:7,15;75:3 EOC (15) 5:12,14,15; 6:19,20;24:13;26:11; 36:24;37:3;40:13;53:3, 18;54:9;61:4,8 Equal (4) 5:8;9:3,9; 15:2 Eric (4) 25:19,23; 42:15;43:2 estimate (1) 38:7 Etezady (3) 27:8,16,24 evaluations (5) 42:16, 17,23;43:1;72:18 even (5) 4:21;33:5; 59:8;66:21;69:13 events (1) 57:23 Everyone (2) 4:8;28:17 exactly (3) 24:7;59:2; 66:22 example (6) 9:23;11:9; 13:21;33:23;61:13; 70:21 examples (3) 29:22; 33:22;34:7 Except (2) 35:11;58:2 excused (1) 77:4 exhibit (1) 48:18 exhibited (2) 48:23; 69:11 existed (1) 63:5 experience (3) 30:1; 53:15;58:20 explain (9) 13:12,20; 21:5;32:18;33:3,4; 35:20;36:21;40:12 express (7) 21:8;34:10, 14,22;40:18;48:17,22 expressed (1) 67:11</p>	<p>expresses (1) 11:1 expressing (1) 21:12 expression (1) 74:21 expressions (4) 49:16, 21,24;50:6 expressly (1) 68:2 extent (2) 16:17;18:4</p>
<p>D</p> <p>daily (2) 55:9;59:10 date (4) 24:2;25:22; 40:9;48:2 dated (5) 18:23;47:1; 49:9;62:6;63:20 day (5) 55:3;56:12; 57:13;66:23;67:2 days (2) 41:4,8 dean (1) 22:13 dean's (3) 16:6,23; 55:13 defense (1) 76:20 define (1) 10:21 Deirdre (36) 24:4; 25:21;38:20;42:14; 44:18;45:22;56:3,5,6; 61:2;62:21,24;63:4,8, 16,20;64:2,5,7,8,11,18; 67:22,24;73:7,11,12, 13,19,20,24;74:4,5,13, 20;75:1 Deirdre's (1) 45:15 demeaned (1) 75:16 demeaning (5) 29:15, 23;30:3;76:11,14 denied (2) 32:11;55:11 department (5) 26:21; 34:1;52:3,10;70:23 deposition (3) 3:2,14; 77:6 description (1) 34:3 development (1) 25:20 difference (6) 8:15; 13:14,20;14:7,13;70:4 differences (5) 13:3;</p>	<p>E</p> <p>earlier (5) 15:3;30:11; 38:8;50:20;56:15 early (3) 33:18;46:1; 67:19 education (1) 6:15 EEO (1) 5:10 EEOC (11) 5:13;17:12; 61:19,21,24;62:12,14, 18;63:2;66:9,12 effect (1) 72:6 effort (1) 39:7 eg (2) 29:16;76:12 either (1) 37:20 element (1) 55:16 elicited (1) 36:16 else (8) 13:8,11;24:16; 26:2,11;43:4;58:8,19 e-mail (29) 18:23;19:8, 11;22:7;41:2,11;42:8, 10;47:1,6;49:8,20; 52:23;54:7,18;55:1,19; 56:11;57:3,11;58:13;</p>	<p>F</p> <p>fact (3) 34:24;75:7,24 facts (1) 59:5 faculty (1) 7:8 fair (2) 16:11,14 fairly (2) 46:9;73:3 Fay (2) 26:23;27:5 fear (3) 21:9,12;37:2 February (6) 54:18; 55:1;58:13;60:1,3;62:7 February/March (1) 63:8 federal (1) 6:22 feel (3) 36:5;37:4; 55:16 felt (6) 11:23;33:14; 34:11,15;36:16;75:16 few (1) 41:8 file (7) 21:13;35:17,23; 53:10,17;62:8,12 filed (3) 8:10,11;66:9 filing (9) 6:23;8:13,16; 21:1;50:16;51:5;56:17; 61:18,21 finally (1) 51:1 find (2) 36:9;52:4 first (24) 18:23;19:8; 21:17;28:8,24;29:14; 31:12;39:4;40:10;46:8; 49:10;54:5;55:23;56:1, 11;58:15,24;62:11; 63:21;68:14;76:4,5,10, 19 firsthand (1) 74:2 five (2) 3:6,16 flat (1) 55:11 flesh (1) 25:18 floor (1) 33:24 FMLA (1) 18:5 focused (1) 29:1 Foehl (5) 5:4;10:7; 18:19;28:7;76:23 follow (1) 23:21 followed (3) 37:23; 38:3,14 following (1) 29:4 follow-up (1) 54:7 foreign (1) 14:18 form (32) 10:2,10;11:5, 19;14:4,16;20:8,17; 22:2;30:5;33:7;37:18; 41:5,19;44:3;47:17; 48:5;50:18;51:7;53:12; 56:19;57:16;58:1;</p>		

RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

SANDRA A. FOEHL
June 30, 2017

59:13;60:7,17,22;61:9; 66:18;74:8,16,24 formal (8) 8:14,16;9:4, 18;10:18;38:9;53:17; 61:15 formally (1) 11:17 forward (2) 21:15;62:20 forwarding (1) 63:17 found (3) 12:4;31:16; 37:20 four (1) 3:6 fourth (1) 35:16 front (5) 18:19;28:7; 41:2;46:20;63:19 function (1) 11:12 functions (1) 34:2 further (5) 21:18;23:23; 36:16;51:12;76:22 FYI (1) 64:3	33:14,21;55:3;56:12; 57:13;63:23 hard (4) 30:22;38:6,7; 39:3 harm (5) 10:16,21;11:2, 2,3 head (2) 4:6;44:5 heading (2) 41:21; 65:22 hear (4) 10:15;13:23; 34:21;52:12 heard (2) 12:3;39:10 hearing (2) 13:3;44:19 held (3) 5:16;31:5; 46:17 helps (2) 8:8;76:20 herself (5) 35:12;52:20; 58:3,18;70:23 hesitation (1) 21:14 hill (1) 13:17 history (1) 42:2 hold (1) 6:6 Honeywell (12) 15:7, 13,17,24;16:8,11,16; 17:1,7;18:6,9;36:6 Honeywell's (5) 16:19, 21;17:11,16;18:1 hostile (6) 7:22;11:17, 21;74:6,15;75:2 hour (2) 40:3,4 HR (2) 11:12;42:2 human (17) 5:19,22; 6:1;9:11;24:4,14; 25:13,20;26:2;38:20; 43:13;55:23;56:1; 58:16;59:20;76:19,20 humiliate (1) 75:24 humiliation (2) 55:9; 59:11 hyperbole (1) 59:17	16;36:23;37:1;53:15 individual's (1) 45:1 inform (12) 17:4;24:9; 32:22;40:5,15;44:14; 64:8,18,22;65:2;74:5, 13 informal (5) 8:17,19; 9:4;12:21;38:9 informally (3) 8:21,24; 11:17 information (10) 16:13; 29:19;42:12;50:4;53:5, 22;68:5;69:22;75:12, 13 informing (1) 24:16 initial (2) 20:20;32:1 initially (2) 11:22;22:18 instance (2) 14:12; 31:19 instances (3) 49:14; 50:6;52:15 instruction (2) 4:9,20 intake (4) 62:13;63:1; 66:8,10 intention (3) 35:23; 70:16;71:19 interacted (1) 40:8 interaction (1) 14:23 interests (1) 55:15 internally (1) 62:13 interpreted (1) 48:3 interviewed (1) 15:4 intimidated (1) 34:23 into (8) 10:9;17:16; 27:3,9;37:9;59:24; 64:9,19 introduced (3) 14:11; 32:21;68:15 investigate (17) 7:18, 21;10:8;11:3;30:18; 31:13;44:7;50:12; 56:24;59:18;60:4;66:5; 68:2,6;71:2,3,4 investigating (8) 7:17; 15:3;16:9;17:13;43:12; 71:6,7,11 investigation (18) 8:12; 9:18,20;17:1,8,16; 21:6;32:19,23;37:3,7, 15;40:6;46:1;48:14; 61:15;73:15;74:23 investigations (6) 7:2,4; 9:5;37:9;38:1,10 involved (1) 71:9 issue (15) 9:7,11,14,15; 10:16,23;16:9;18:5; 32:3;38:23;43:11; 55:22;58:14;64:12,16 issues (7) 19:10;24:6; 39:2;44:16;59:20;63:5; 73:21	J January (1) 67:20 jeopardy (2) 34:20; 67:13 job (4) 6:18;31:18; 34:3;67:12 judge (2) 4:22;5:1 Judy (1) 52:20 July (13) 18:24;19:4,7; 24:3,8;41:7,17;42:18, 21;44:6;45:3;50:15; 54:22 jurisdiction (1) 36:24 jury (1) 4:22	line (7) 30:7;35:16,18; 41:11;56:11;62:7; 76:19 list (1) 54:6 listen (2) 20:12,22 location (1) 55:11 lodge (1) 8:19 long (4) 5:16;29:11; 40:1,3 longer (5) 3:17;26:15, 16;30:20;39:17 look (5) 10:9;59:24; 64:19;72:19;76:3 looked (2) 75:20;76:4 looking (3) 24:24; 48:16;64:9 looks (1) 33:3
G gave (4) 13:21;29:20; 68:16;70:21 gender (1) 58:6 general (6) 3:18;6:18; 15:9;26:21;32:16; 38:24 George (1) 26:24 given (2) 19:23;34:8 giving (1) 16:12 goes (4) 30:9;55:6,17; 58:15 government (2) 53:1; 62:18 Greg (36) 15:23;16:1,4, 22;17:2,4,20,22;24:21; 25:3;36:3,5,7;45:13,16, 23;46:2,9,12;51:15,17, 20;52:2,18,22;64:19; 65:2;70:20,22;71:3,8, 12;73:2,5;74:3;75:4 grievance (2) 9:2,4 ground (1) 3:19 grounds (1) 66:6 guess (2) 15:1;33:18 guides (1) 9:2	I idea (1) 58:18 identification (7) 18:17; 28:5;40:24;49:3;54:15; 65:13;68:20 identified (1) 33:1 immediately (1) 29:4 imminent (2) 67:10,12 important (2) 4:21; 48:13 include (1) 7:11 including (1) 75:11 independent (1) 19:6 independently (1) 73:20 indication (1) 13:5 indirect (3) 52:5,6,6 individual (11) 9:12,20; 10:17,18;11:8;15:23; 21:3;23:5;37:4;54:5,9 individuals (6) 9:6,13,	K keeping (1) 44:4 kept (2) 72:14,14 kind (2) 50:10;52:6 King (1) 68:15 Klein (2) 22:9,13 knew (4) 43:15;48:6; 66:6,20 knowledge (1) 14:14	M makes (1) 57:4 making (1) 8:16 manage (1) 76:20 managers (1) 76:21 manner (2) 22:1;23:14 many (4) 3:5;8:4;37:9; 39:19 March (2) 63:20;73:11 marked (17) 18:15,16, 20;28:2,4;40:23;44:10; 46:21;49:2;54:12,14; 62:2;63:11;65:10,12; 68:17,19 materials (1) 70:18 matter (7) 9:9;18:3; 21:16;26:10;38:16,18; 43:12 matters (2) 3:11;38:11 may (18) 9:8;10:15; 17:12;24:12;31:8;32:2; 34:12;36:15;46:4,10, 13;53:1;54:6;63:5; 72:20;73:1,6,13 Maybe (3) 40:3;66:22; 76:16 mean (5) 8:11;16:18; 35:20;56:2;62:17 meaning (2) 53:3;62:18 meant (2) 13:12;70:10 meet (6) 15:8;39:19; 40:10;55:8;59:10; 71:12 meeting (34) 19:3,5,17; 21:1,9;24:8;28:22; 29:11;30:18;32:1,17; 33:13,15;39:5;41:7,9, 17;42:22;45:2;50:15; 56:16;65:19;66:4,13, 16;67:6,8;68:1;69:1,3, 12,17,21;75:7 meetings (5) 15:11,14; 20:11;39:5;55:10 member (3) 52:9;55:8;	
H Hailey (1) 68:15 half (1) 40:3 Hamilton (3) 26:5; 62:21,24 hand (2) 54:6;76:7 handwritten (3) 28:20; 65:17;76:5 happen (3) 8:4,6;59:7 happened (1) 36:6 happening (3) 45:21; 54:4;59:15 happens (1) 59:5 harassed (7) 9:24;		L labor (1) 56:3 laid (1) 70:20 lambasted (1) 59:1 language (1) 32:14 languages (1) 70:5 largely (1) 71:8 last (6) 3:13,16;4:20; 47:5;55:6;62:11 late (1) 34:4 later (1) 67:2 launched (1) 48:15 launches (1) 37:3 law (1) 6:12 laws (3) 6:22;7:10,24 laying (2) 44:24;58:13 learn (1) 39:13 learned (5) 39:10; 43:24;66:22;67:5; 69:22 learning (3) 25:20; 52:11;75:9 least (4) 40:3;50:14; 53:9;59:16 leave (2) 21:17;22:5 leaving (1) 41:16 led (2) 50:5;57:20 legal (1) 6:15 length (1) 9:7 Lennon (1) 52:20 letter (3) 22:9,16,19 liaison (1) 26:24 light (1) 57:22 likely (2) 21:7;51:11		

RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

SANDRA A. FOEHL
June 30, 2017

59:9 members (1) 32:15 memo (2) 23:24;58:13 mentioned (1) 7:11 message (1) 56:8 messed (1) 36:8 met (16) 14:24;24:1,3, 10,12,17;30:23;39:15; 41:4;54:22;57:7;65:7; 66:21;70:24;71:14,14 Michael (2) 22:9,13 middle (2) 49:10;63:21 might (4) 10:23,24; 68:13;75:11 minimize (1) 39:8 Miss (53) 5:4;8:8,19; 10:7;11:16;12:13;13:1, 16,23;14:1,10;15:8,12, 22;16:11,12,15,16,19, 21,21;17:7,11,16; 18:19;24:9,20;25:1,5; 26:12;27:12,14;28:7; 30:17;31:13;32:8,15; 35:8;39:16;41:3,17; 43:4,15,19;44:14;45:4, 8,12,14;49:9;68:1; 71:21;76:23 Misstates (2) 14:5;51:8 mistreating (1) 71:24 moment (1) 49:5 months (3) 54:21; 56:15;57:24 Moore (1) 26:24 more (5) 8:24;9:10; 55:15;68:4;76:18 morning (1) 63:12 most (2) 4:21;20:11 mostly (1) 51:15 move (2) 10:17;55:10 moved (2) 33:24;60:10 moving (1) 21:14 Mtg (1) 65:22 much (1) 52:20 multiple (1) 25:24 municipal (1) 6:22 MUNSHI (60) 10:3,5, 20;11:10;12:1;14:6,21; 18:14,18;20:13,23; 22:6;25:16;28:2,6; 29:2,5;30:8;31:4,7; 33:11,17;34:9;37:24; 40:22;41:1,10;42:4; 44:8;46:5,11,16,19; 47:22;48:11;49:1,4; 51:3,18;53:21;54:12, 17;57:1,19;58:17; 59:22;60:13,19;61:1, 16;65:10,16;66:24; 68:17,23;70:12;74:11, 17;75:5;76:22 must (1) 17:18 myself (1) 32:21	N name (1) 6:20 named (1) 15:23 names (1) 15:3 national (2) 14:18;58:7 native (2) 12:14;14:15 nature (1) 17:24 necessarily (2) 11:6; 53:14 need (4) 10:6;21:15; 27:2;38:11 needs (1) 26:9 nervous (1) 23:13 new (3) 32:2;35:12; 68:13 newer (1) 31:21 next (3) 18:11;35:18; 55:6 ninth (1) 33:24 Nor (1) 58:7 noted (3) 32:2;36:1; 69:13 notes (23) 28:18,20; 29:4,6,8;32:4,5,9; 35:20;50:20;51:10,13; 65:17,19;68:24;69:7; 70:16;71:16;72:14; 76:4,4,5,6 notice (2) 30:23;34:5 Notwithstanding (1) 59:8 November (5) 35:9; 49:9;51:16,23;53:8 number (2) 8:22;61:12	old (1) 47:21 oldest (1) 18:24 Once (2) 8:5;39:22 one (25) 3:23;4:21; 10:23;12:6,7,11;15:2; 18:24;25:23;26:1,9; 27:1;31:19;33:9,17; 38:19;39:4;46:23; 48:15;50:23;57:6; 61:21;64:13;75:2; 76:18 only (7) 12:6;50:8; 60:5;64:10,13;68:16; 70:3 opinion (1) 16:13 Opportunity (4) 5:8;9:3, 10:15;2 order (1) 58:22 orders (1) 46:7 origin (1) 58:7 original (1) 48:7 others (3) 70:9;75:10, 14 Otherwise (2) 4:5,11 out (14) 4:6,12;13:17; 14:1;25:18;38:8;43:2; 44:2;49:14;52:4;54:24; 55:11;58:13;61:24 Outside (2) 15:11; 62:18 over (18) 3:18;4:10; 13:16;16:22,23;18:13; 37:11,13;39:23;50:10; 51:10;52:9;53:16,17; 54:6;60:10;62:20; 70:18 overture (1) 42:13 own (4) 39:7;44:5; 49:20;53:23	59:17;71:20;73:14 particular (5) 44:23; 45:1;49:14;50:6;52:14 particulars (1) 56:22 Pause (6) 18:22;49:6; 62:4;63:13;65:14; 68:21 PDP's (1) 72:18 people (1) 59:12 percentage (1) 38:5 perfectly (1) 42:20 performance (5) 42:16, 17,22,24;73:21 period (6) 24:24;46:9; 48:16,21;63:8;67:19 person (6) 10:6;15:8; 31:12;36:8;39:23,24 personal (2) 19:10; 21:16 phone (3) 39:23;62:13; 63:1 phrase (2) 49:20;52:16 physical (1) 11:2 pick (1) 26:10 place (6) 37:17;50:11; 57:23;66:16;69:16,20 plan (2) 7:1;62:12 plans (1) 6:9 please (19) 21:22; 22:10;24:23;28:3,15; 30:17;35:16;37:6; 41:14;48:20;49:12; 50:13;51:1;54:13; 60:11;61:3,15;68:18; 74:9 plural (1) 50:1 point (14) 4:16;19:14; 24:3,19;35:1;42:21; 53:8;57:7;58:8;60:5; 64:8;66:9;67:13,14 pointed (1) 38:8 policies (1) 38:2 policy (4) 36:18;37:21, 22;38:14 position (4) 5:17,19; 6:6;16:23 positive (1) 39:6 possibility (3) 53:10,19, 20 possible (2) 22:9;38:15 possibly (1) 13:19 potential (1) 67:16 practice (6) 15:10; 36:22;53:24;54:3;58:5; 61:22 precisely (1) 58:9 prepared (1) 22:22 present (3) 13:9,11; 23:7 presented (2) 22:21; 23:10 presenting (2) 23:2,3 pretty (1) 41:20	prevent (1) 39:8 previous (1) 57:23 previously (2) 44:10; 62:1 principally (1) 42:6 Prior (15) 14:22;15:14; 24:19;25:5,10;27:11, 13;31:8;39:1;40:9; 46:4;72:20;73:1,6,13 private (1) 55:10 privilege (1) 27:22 Probably (9) 3:6,17,19; 10:17;18:7;37:14; 42:21;68:14;76:2 problems (2) 29:14; 76:11 procedure (2) 9:2;26:8 professional (1) 5:23 program (1) 7:1 programs (1) 6:9 protect (1) 55:15 protected (2) 27:21; 58:19 provide (2) 54:9;72:11 provides (1) 9:3 psychological (1) 55:17 public (2) 55:9;59:10 publicly (2) 75:16,24 put (4) 34:18,19;60:11; 62:2 putting (2) 30:15;45:3 puzzling (1) 51:16
	O oath (2) 4:23,23 Objection (33) 10:2,10; 11:5,19;14:4,16;20:8, 17;22:2;30:5;33:7; 37:18;41:5,19;44:3; 47:17;48:5;50:18;51:7; 53:12;56:19;57:16; 58:1;59:13;60:7,17,22; 61:9;66:18;68:7;74:8, 16,24 observation (2) 70:7,9 obviously (2) 4:2;66:16 occasion (1) 40:10 occur (1) 21:17 off (4) 31:2,5;46:14,17 offense (1) 31:22 Office (27) 5:8,11,13, 15;6:8,20;9:3;10:15; 16:6,23;17:13;19:23; 21:4,6;26:11,20;32:15; 34:1;40:13;43:11,13; 52:21;53:2,3,24;55:13; 61:22 offices (1) 21:5	P P-28 (1) 62:2 P-30 (4) 63:11,12,16,19 P-31 (4) 18:15,16,20; 22:8 P-32 (4) 28:3,4;35:16; 76:3 P-33 (3) 40:22,23;41:2 P-34 (2) 49:1,2 P-35 (3) 54:13,14;56:6 P-36 (3) 65:11,12,17 P-37 (3) 68:18,19; 71:17 P-8 (3) 44:10,12;46:21 page (9) 28:8,10,11; 29:14;35:15;55:6,7; 63:19;71:16 pages (1) 28:24 paragraph (6) 47:5; 49:11;55:7;62:11; 63:21;71:17 part (5) 16:1;46:1;		Q questionnaire (2) 66:8, 10 quickly (1) 23:24
		R raise (4) 12:2;37:2; 61:7;75:7 raised (15) 11:23; 24:13;32:24;33:5; 40:16,19;61:4,12; 71:18,22;72:3,9;74:14; 75:10,14 raises (1) 10:16 raising (3) 41:18;45:5; 64:12 rarely (1) 9:22 reach (3) 12:15;17:17; 44:1 reached (2) 43:2;61:24 reaches (1) 54:24 react (1) 20:7 read (3) 22:18;59:9; 77:3 really (2) 29:13;38:7 reason (3) 37:21; 38:22;76:19 reasons (1) 38:19		

RUTH V. BRIGGS v.
TEMPLE UNIVERSITYSANDRA A. FOEHL
June 30, 2017

<p>recall (41) 11:20;12:11, 14;13:1;14:10,17; 15:16;16:3,12,15; 17:10,20,24;18:11; 19:3,15,16;21:2,12; 23:20;24:16;26:1; 31:17,19,23;32:6,11; 40:21;41:6;44:19; 45:11,12;46:8,12; 50:19;52:11;63:7; 66:11;67:11,23;75:15</p> <p>receive (1) 8:1</p> <p>received (3) 30:23; 35:8;73:10</p> <p>recent (1) 63:4</p> <p>recognizable (1) 58:14</p> <p>recollection (14) 16:5, 17;17:11;18:2,4;19:6; 27:15;32:12;35:22; 43:17;44:17;52:18; 68:3;70:17</p> <p>record (5) 31:3,6; 35:14;46:15,18</p> <p>recourse (1) 54:10</p> <p>rectify (2) 38:16,22</p> <p>refer (1) 8:13</p> <p>reference (3) 32:9; 52:19;57:4</p> <p>referencing (2) 57:11, 14</p> <p>referred (3) 5:10;42:22; 73:24</p> <p>referring (2) 22:19; 33:16</p> <p>regard (3) 18:5;38:17; 70:21</p> <p>regarded (1) 19:22</p> <p>regarding (14) 15:5,13, 17,24;17:1;19:10; 25:11;26:12;27:5,10; 47:6,12;53:6;69:5</p> <p>regular (1) 70:2</p> <p>regularly (3) 32:13; 39:5;59:7</p> <p>relate (1) 18:12</p> <p>related (14) 12:4;13:4; 24:14;33:23;34:17,20; 35:13;47:7,16,18,20; 50:23;51:12,12</p> <p>relating (2) 36:12;47:19</p> <p>relations (1) 56:4</p> <p>relationship (10) 15:19, 21;24:7;38:24;45:14; 51:20,22,23;52:5,7</p> <p>relayed (4) 31:10;32:8; 47:14;57:9</p> <p>relaying (1) 69:22</p> <p>relevant (1) 48:12</p> <p>religion (1) 58:7</p> <p>remark (11) 13:5,24; 14:11;20:3;31:17,18; 32:7;35:2;57:6;60:24; 70:1</p>	<p>remarked (3) 12:13; 13:2;33:9</p> <p>Remarking (2) 13:14; 14:12</p> <p>remarks (2) 31:16;57:4</p> <p>remember (41) 3:15,19; 12:6;13:10;15:20; 17:18;19:18;21:11,14; 27:6,23;29:13;33:20; 39:3;42:23;43:7,20; 44:24;45:19,22,24; 54:8;57:6;61:20;63:6; 10:64;6,10,13,21; 66:14,22;67:3,3;72:8; 23:73;4;75:9,13;76:15, 16</p> <p>remorse (1) 23:13</p> <p>removed (1) 72:2</p> <p>repeat (4) 21:22;24:23; 48:20;74:9</p> <p>repeated (1) 20:2</p> <p>report (5) 6:23;26:18; 29:21;35:9;48:7</p> <p>reported (2) 26:16; 55:12</p> <p>reporting (4) 15:18,20; 52:2;65:4</p> <p>reports (1) 50:9</p> <p>request (2) 49:13;55:10</p> <p>required (2) 55:8;59:10</p> <p>requirement (2) 58:22, 23</p> <p>reserves (1) 77:2</p> <p>resolution (2) 9:4;38:9</p> <p>resolve (5) 38:16,18; 39:2,8;58:16</p> <p>resolving (1) 38:11</p> <p>resources (20) 5:20,23; 6:1;9:11;11:7,21,4; 24:5,15;25:13,20;26:2; 38:20;43:13;55:23; 56:1;58:16;59:20;74:2; 76:19,20</p> <p>respond (5) 7:7;36:13; 49:12;55:19;72:5</p> <p>responded (5) 32:6; 35:1;51:6,14,14</p> <p>response (3) 20:19; 35:5;36:17</p> <p>responsibilities (4) 4:24;6:19;16:8;19:22</p> <p>responsible (3) 6:21, 24;73:23</p> <p>retaliated (1) 21:20</p> <p>retaliating (1) 36:5</p> <p>retaliation (6) 7:18; 21:9,13,24;37:2,5</p> <p>return (3) 22:23;23:15, 19</p> <p>review (4) 18:21;22:9; 46:22;49:5</p> <p>reviewed (2) 50:20; 66:10</p>	<p>Rhonda (4) 19:9,11,13; 26:16</p> <p>Right (22) 4:7;12:9; 16:22;22:14;35:1; 36:19;41:4;45:6;51:6; 53:3,11;54:22;55:20; 23:57:15;60:6;62:21; 63:17;65:23;76:7,7; 77:2</p> <p>rights (4) 6:22;7:10,12, 24</p> <p>role (1) 16:6</p> <p>rules (1) 3:19</p> <p>Ruth (130) 8:2;13:21; 14:23,24;15:18;17:5; 18:10;19:3,7,14,16; 20:21;22:4,19;24:2,6, 10,12,12,17,21;25:3,7, 11,11;26:3,6;27:5,10, 24;28:23;29:12,19; 30:15;31:9,21;32:23; 33:2,13,23;34:7,10,24; 35:12,23;36:12;38:17; 39:4,9,12,14,20;40:15, 19;41:24;42:18,22; 44:1,15,17,20;45:9; 47:2,11,14,19,21; 48:17,22;50:5,8,11,21, 22;51:2,20;52:1;54:24; 55:22;56:7,20;57:8; 58:2,4,10;59:14,17; 60:4,9,23;61:7;62:6; 63:1,9,20;64:20,23; 65:7,20,23;66:4,11,20; 67:3,16,21;69:11;70:3, 9,10,14,24;71:7,10; 72:4,21,23;73:2,4,7; 74:1,5,14,21;75:8,11, 24;76:14,16,18</p> <p>Ruth's (11) 29:21; 31:14;56:11;59:17; 60:5,8;61:20;64:9,11; 65:4;73:11</p>	<p>56:19;57:16;58:1; 59:13;60:7,17,22;61:9; 66:18;68:7;69:20;74:8, 16,24;77:1</p> <p>saw (3) 27:1;57:3; 75:18</p> <p>saying (13) 10:24; 11:21;13:1,15,24; 14:10;30:3;32:11; 45:22;55:2;57:12;61:3; 75:15</p> <p>scared (6) 35:18;36:2, 14,16;51:6,10</p> <p>schedule (1) 62:8</p> <p>school (1) 10:1</p> <p>school's (1) 39:7</p> <p>second (6) 22:8;28:9; 31:3;35:15;55:7;71:16</p> <p>secretary (2) 52:21; 70:23</p> <p>seeing (1) 72:24</p> <p>seek (1) 39:2</p> <p>send (2) 53:23,24</p> <p>sending (1) 22:10</p> <p>sends (3) 19:9;22:7; 64:2</p> <p>sent (5) 41:3;42:10; 44:5;53:23;57:10</p> <p>sentence (4) 22:8;50:2; 55:7;62:11</p> <p>September (2) 47:2; 48:2</p> <p>series (1) 59:5</p> <p>set (4) 14:8,11;76:4,5</p> <p>setting (1) 49:14</p> <p>several (2) 60:8,10</p> <p>sex (1) 12:5</p> <p>Sexual (1) 10:23</p> <p>sexually (1) 9:24</p> <p>shakes (1) 4:6</p> <p>share (1) 29:8</p> <p>shared (1) 17:22</p> <p>sharing (1) 17:20</p> <p>shifted (1) 31:18</p> <p>short (1) 46:9</p> <p>showed (1) 73:10</p> <p>side (5) 16:19,21,22; 60:1,6</p> <p>sides (3) 59:16,23;60:9</p> <p>sign (1) 77:3</p> <p>Similar (2) 4:9;58:4</p> <p>simple (1) 74:12</p> <p>simply (3) 9:13;24:12; 42:13</p> <p>sitting (3) 4:2;5:1;6:13</p> <p>situation (4) 10:22; 13:7;20:20;42:2</p> <p>six (3) 54:21;56:15; 57:24</p> <p>skated (1) 59:4</p> <p>solely (1) 76:18</p> <p>somebody (3) 9:23; 11:1;58:19</p>	<p>Someone (7) 10:24; 11:4;13:15;15:4;38:15; 55:14;59:19</p> <p>Sometimes (5) 9:16,22; 41:22;54:6;59:6</p> <p>somewhere (1) 14:24</p> <p>son's (2) 22:23;23:15</p> <p>sorry (5) 10:12;23:4; 43:23;54:2;75:20</p> <p>sort (7) 17:8;20:14; 21:9,19;52:8;69:11; 72:12</p> <p>source (2) 75:4,12</p> <p>speak (7) 17:2;19:13; 26:5;27:4,10;39:20; 46:2</p> <p>speakers' (1) 20:21</p> <p>speaking (3) 21:10; 64:23;65:3</p> <p>specialist (1) 6:8</p> <p>specific (8) 26:21; 33:22;50:13,23;51:1,2; 57:3;68:13</p> <p>specifically (11) 9:21; 10:7;11:21;13:6;21:2; 42:11,24;44:22;45:6, 10;46:5</p> <p>spoke (4) 19:9,20;26:3, 12</p> <p>spring (1) 8:7</p> <p>squared (1) 22:5</p> <p>staff (9) 7:8;19:23; 32:14,15;52:9;55:8; 59:9;70:2,3</p> <p>start (1) 6:4</p> <p>starts (2) 47:6;55:2</p> <p>state (1) 6:22</p> <p>statement (3) 30:10; 49:14;60:12</p> <p>States (5) 35:6,7;47:6; 70:4;72:7</p> <p>stating (2) 36:13;73:2</p> <p>step (1) 39:7</p> <p>sticker (2) 44:11;62:3</p> <p>still (3) 37:13;48:17; 75:21</p> <p>story (5) 59:23;60:1,6, 10,14</p> <p>straight (1) 44:5</p> <p>student (2) 7:8;41:21</p> <p>students (1) 75:11</p> <p>stupid' (3) 29:16;30:4; 76:12</p> <p>subject (4) 37:6;41:11; 55:1;62:7</p> <p>subjected (1) 37:5</p> <p>subsequent (2) 43:3; 61:17</p> <p>successful (1) 39:11</p> <p>suggests (1) 6:20</p> <p>suicidal (1) 10:24</p> <p>summary (1) 17:8</p> <p>supervised (2) 51:17;</p>
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RUTH V. BRIGGS v.
TEMPLE UNIVERSITYSANDRA A. FOEHL
June 30, 2017

52:1 supervision (3) 16:11, 13;71:9 supervisor (9) 12:7,8; 51:24;57:14,18;58:15; 59:21;60:15;73:22 supervisory (3) 16:7,7; 52:8 supplying (1) 56:22 support (1) 16:16 supposedly (1) 52:21 sure (9) 4:4;14:20; 21:23;24:11,24;25:22; 34:13;48:21;66:6 surgery (2) 22:23;23:15 surprised (1) 22:17 swimmingly (1) 58:10 synopsis (2) 22:21;23:9	47:16;67:9 thousand (2) 37:11,13 threaten (1) 70:14 threatened (1) 34:15 threats (1) 49:15 three-page (1) 28:8 throw (1) 44:12 timeline (2) 33:4;44:5 times (3) 3:5;8:4;39:19 title (2) 5:7;7:11 titled (1) 6:7 today (3) 4:3;50:20; 70:18 together (1) 26:7 told (8) 20:5;39:4; 59:17;66:22;67:3; 69:22;71:10;76:16 took (7) 4:22;16:19,21; 37:17;66:16;69:16,20 top (5) 28:8,9,10;56:5; 63:16 toward (1) 16:11 towards (3) 48:19,23; 69:11 Trachtenberg (2) 26:23;27:5 Tracy (5) 26:5,15;61:3; 62:21,24 transcript (3) 4:4,11; 28:14 treated (5) 23:14;58:5; 59:12;72:22;73:8 treating (1) 73:3 treatment (1) 71:18 true (1) 43:7 truth (1) 4:23 try (4) 3:23;39:2;54:8; 58:16 trying (1) 73:18 turn (1) 35:15 turned (1) 18:2 two (6) 28:10,24;59:16, 23;61:20,23 type (2) 29:6,7 types (2) 7:5,7 typical (1) 41:21	university's (1) 6:24 unlawful (6) 7:3;36:24; 52:24;56:7;57:21; 73:23 unprofessional (1) 35:10 up (9) 14:11;23:21; 26:10;29:3,6,7;56:5; 60:21;66:15 upon (2) 23:19;54:3 upsetting (1) 70:10 Urgent (1) 55:1 use (1) 41:22 used (4) 34:12,16; 52:17;74:20 using (1) 33:20 usual (2) 21:3;26:8 usually (6) 29:3;34:18; 36:22;37:20;58:24; 73:19	20;37:19;41:6,20;44:4; 46:7;47:18;48:6;50:19; 51:9;53:13;54:16; 56:20;57:17;58:2; 59:14;60:8,18,23; 61:12;65:14;66:19; 68:10,21;69:24;74:9; 75:1;77:2,4 women (14) 12:14; 14:9;20:3,6;30:9,13; 35:2;43:9;48:7;57:10; 60:16;69:5;70:7;72:5 word (6) 14:3;33:21; 34:12,16;41:23;65:23 words (4) 36:4,11;57:3; 72:6 work (15) 7:22;11:17; 13:7;22:23;29:3;30:7; 34:4;42:1;52:7;58:21; 63:22;73:20;74:6,15; 75:3 worked (4) 6:1;26:7; 40:13;71:10 workforce (3) 12:16; 20:4,6 working (5) 6:4;11:21; 19:20;52:5;70:8 workplace (5) 12:4; 13:18;14:2;44:16; 51:23 write (7) 35:21;49:11, 23;52:14;56:5;66:3; 71:17 writes (4) 22:20;23:12; 59:8;63:22 writeups (1) 37:19 writing (1) 60:12 written (1) 49:13 wrong (1) 36:8 wrote (3) 47:24;50:8; 76:10 Wu (67) 12:8;13:22; 14:14;19:21;20:6;25:9; 29:15,21;31:11,13,24; 32:5,18;33:9,12;34:11, 23;39:1,6,9;40:16,20; 43:9,21;44:2,22;45:6, 10,14;46:8;47:15; 48:18,22;49:16,21; 51:24;52:3;57:5,15,17; 60:14,24;64:23;65:3; 69:1,10,17,21;71:3,8, 15,19,21,23;72:4,11, 21,23;73:3,9;74:3; 75:4,6,9,23;76:11,13 Wu's (7) 13:24;20:2; 35:2;47:7;48:3,10,12	young (1) 58:3 1 1 (2) 67:20,20 1973 (1) 6:5 1st (3) 65:20;67:14; 71:1 2 2005 (1) 5:18 2009 (1) 26:17 2011 (1) 35:9 2012 (20) 14:22,24; 15:15;18:24;19:4; 41:17;42:19;47:2;48:2, 17,21;49:9,13;50:15; 51:16,23;52:2;53:8; 54:22;64:15 2013 (4) 54:19;60:2,3; 61:17 2014 (32) 8:7,9;25:2; 26:13,14,18;30:19; 31:8;33:19;39:15,21; 46:2,6,7;60:3;62:7; 63:8,21;65:8,20;67:15, 19,20;69:1;71:1,13; 72:20;73:1,6,11,13; 75:7 25th (4) 18:24;62:7; 63:20;73:11 26th (1) 72:20 3 3:41 pm (1) 77:7 30 (1) 49:13 30th (11) 19:4,7;24:3,8; 41:7,17;42:18,21;44:6; 45:3;50:15 4 4th (1) 68:24 5 55 (6) 12:15;13:17; 14:1;20:4;35:3;70:8 5th (1) 49:9 6 6th (4) 31:8;46:4,10,13 7 7-30-2012 (3) 28:9; 29:2,12 8
T talk (11) 4:10;9:6,14, 15;21:4;31:9;42:13; 43:4;54:5;62:23;63:4 talked (4) 25:21;27:16; 31:12;70:19 talking (14) 14:9;15:24; 23:9,22;24:5;26:13; 27:24;32:17;33:18; 38:19;45:23;56:21; 59:11;67:23 Tanya (10) 15:7,13,17, 24;16:8;17:1,24;18:6, 9;36:6 telling (7) 12:12,17; 13:10,23;16:3;20:20; 56:22 Temple (16) 3:8;5:5; 6:4;8:9;11:18;24:20; 25:6;27:12;30:1;33:6; 36:18;37:8;38:2;39:17; 58:21;62:18 tended (1) 50:23 tenth (1) 33:24 terminate (1) 70:17 terminated (6) 66:17, 23;67:2,4,5,17 termination (4) 30:24; 35:13;66:20;67:10 Terry (1) 4:2 testified (2) 25:15; 30:11 testify (2) 27:19;69:23 testimony (3) 14:5; 36:7;51:8 therapeutic (2) 11:14, 15 thinking (3) 36:8;46:10; 75:21 third (3) 28:10;47:5; 71:17 though (2) 4:21;69:13 thought (4) 31:22;39:6;	U uncommon (1) 9:5 under (3) 29:14;65:22; 76:10 underneath (1) 65:24 Understood (2) 4:14; 57:15 unfairly (3) 31:20; 72:22;73:8 unfairness (1) 55:16 United (4) 35:6,7;70:4; 72:6 university (10) 6:21,23; 7:2,9;21:5;26:19; 37:21,22;38:14;54:11	V varying (1) 50:10 verbalize (3) 4:5;28:14; 41:14 VII (1) 7:11 violation (2) 7:23;37:21 visitors (1) 7:8 voice (3) 75:8,10,14 W Wacker (31) 15:23; 16:1,4;17:2,4,20,23; 24:21;25:3;36:3,5; 45:13,23;46:3,9,13; 49:17,22;51:15,17; 52:2,22;64:19;65:2; 70:22;71:3,12;73:2,5; 74:3;75:4 Wacker's (4) 16:6,22; 51:20;70:20 wait (1) 22:4 Walton (14) 24:9; 25:22;38:20;41:3;43:4, 15,19;44:14;45:8,12; 56:3;67:22;73:7;74:13 way (6) 13:1;21:6; 32:20;33:9;36:9;59:7 whole (1) 50:1 whose (1) 15:6 withdrew (1) 60:23 within (11) 3:16;5:19; 10:8;13:3;26:20;34:3; 41:3,8;45:2;52:9;57:23 without (9) 9:20;11:4; 27:3,9;32:9;34:4;37:2; 50:24;63:23 WITNESS (43) 10:12, 14;11:6,20;14:17; 20:11,19;22:3;27:13, 20,23;29:3;30:6;33:8,	Y years (3) 3:15,16;37:8 yell (1) 75:8 yells (2) 29:15;76:11	

RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

SANDRA A. FOEHL
June 30, 2017

8-3-2012 (1) 28:11 8th (2) 55:1;58:13				
9				
9th (2) 47:2;48:2				